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Report of the Working Group on the Universal Periodic Review*

Lao People's Democratic Republic

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of the Lao People's Democratic Republic was held at the 4th meeting on 20 January 2015. The delegation of the Lao People's Democratic Republic was headed by Phongsavath Boupha, Minister, Head of the President's Office and Chairman of National Steering on Human Rights. At its 10th meeting, held on 23 January 2015, the Working Group adopted the report on the Lao People's Democratic Republic.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Lao People's Democratic Republic: Brazil, Côte d'Ivoire and Qatar.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the Lao People's Democratic Republic:

(a) A national report submitted/written presentation prepared in accordance with paragraph 15 (a) (A/HRC/WG.6/21/LAO/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/LAO/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/LAO/3).

4. A list of questions prepared in advance by Belgium, Germany, Slovenia, Spain, Sweden, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to the Lao People's Democratic Republic through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation noted that, after the founding of the Lao People's Democratic Republic 40 years ago, the implementation of the two strategic tasks of national safeguarding and development had always had the ultimate goal of creating conditions for the multi-ethnic Lao people to live in peace, freedom and prosperity so that they could fully enjoy their human rights.

6. He reported that the Government had attached importance to the recommendations made in the 2010 UPR review, highlighting that the national report, the outcome report and recommendations from the first UPR cycle had been translated into Lao and distributed among government officials, stakeholders and the general public. The Government also tasked the relevant line ministries and State organizations to implement the recommendations related to their respective roles and functions. Many of the recommendations had been integrated into the Seventh Five-year National Socioeconomic Development Plan 2011–2015, and were being implemented through laws, policies, strategies and action plans.

7. The Government established the National Steering Committee on Human Rights in 2012, which led the preparation of the national report for the current review with the participation of all relevant Government agencies. Stakeholder consultations were held with civil society organizations, international non-governmental organizations and international development partners.

8. He emphasized the fact that the Lao People's Democratic Republic had continued to improve its governance and public administration to be more effective, transparent, accountable and participatory and to provide better services to the people. The Government was currently implementing the Legal Sector Master Plan on the Development of the Rule of Law by 2020, taking into account the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels. In strengthening the rule of law, the National Assembly had adopted or amended more than 100 laws in the political, judicial, national defence, public security, economic, social, cultural and environmental domains.

9. He further noted that the constitutional amendment process was transparent and participatory. Inputs from the consultations were being studied and considered by the National Drafting Committee. The final draft amended Constitution would be made available for comments and inputs from the public.

10. The Government attaches importance to the prevention and combating of corruption through the implementation of the Law on Anti-Corruption, other related laws and legal instruments, particularly the decree on the declaration of assets for government officials at all levels.

11. He added that most of the Millennium Development Goals had been achieved or were on track to be achieved by the end of 2015, and that most of the recommendations from the first UPR cycle, especially those related to economic, social and cultural rights, such as the rights to health, education, food, housing, land, and the right to development and poverty reduction, had been progressively realized.

12. He also emphasized that the Government had put in place a policy governing the judicial sector in efforts towards ensuring the rule of law, equality before the law and the court, due process of law and fair trial.

13. He highlighted that the rights to freedoms of expression, assembly and association were guaranteed in the Constitution, laws and decrees. Violation of these fundamental freedoms constituted a criminal offence punishable by the penal law. Likewise, freedom of religion or belief was also protected in the Constitution and laws, especially the Prime Minister's Decree 92.

14. He stated that the Government had continued to improve prison conditions and attached importance to training prison officials on international norms and principles concerning prison management and the treatment of offenders.

15. He noted that the rights of women, children and persons with disabilities were protected and promoted through the implementation of the relevant constitutional provisions and specific laws, decrees, national stratergies and action plans.

16. He stressed that, in the national processes for making, applying and enforcing laws, treaty obligations were taken into consideration and, in case of conflict between treaty obligations and national legislation, the treaty obligation shall prevail.

17. The Government attaches importance to raising awareness of and disseminating information concerning human rights treaties and the UPR recommendations, and to developing the capacity of government officials and stakeholders to implement them.

18. Moreover, the Government extended its goodwill cooperation by providing information and clarification to the special procedures of the Human Rights Council in respect of their queries, questions or issues of interest concerning human rights practices in the country.

19. At the regional level, the Lao People's Democratic Republic has contributed to the development of human rights in the Association of Southeast Asian Nations (ASEAN) in terms of institution-building and standard-setting. The Lao People's Democratic Republic actively participates in the ASEAN Intergovernmental Commission on Human Rights, the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children and has contributed to the drafting of the ASEAN Human Rights Declaration, the ASEAN Declaration on the Elimination of Violence Against Women and the ASEAN Declaration on the Elimination of Violence Against Children.

20. In addition to the institutionalized bilateral human rights dialogue with a number of States, the Lao People's Democratic Republic has exchanged views and experiences on human rights with some other countries to share good practices on human rights implementation.

21. He added that, despite the achievements made, the country faced a number of constraints and challenges, including unexploded ordnance, underdeveloped infrastructure, natural disasters, disease outbreaks, limited human resources and budget constraints.

22. To overcome these challenges and constraints, the Government has set priorities focusing on socioeconomic development and poverty reduction, the rule of law, the improvement of governance, continuing efforts to achieve the Millennium Development Goals, continuing efforts on unexploded ordnance clearance, the improvement of public health service, education and the protection of women, children and other vulnerable groups.

23. The Lao People's Democratic Republic is considering the ratification of additional human rights conventions, including the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW). The Lao People's Democratic Republic will continue to disseminate information on human rights and translate human rights obligations and commitments into national policies, laws, strategies, programmes and projects. It will also consider inviting special rapporteurs to visit on a case-by-case basis. An invitation will be soon sent to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context to visit the country in the course of 2015.

24. He noted Lao People's Democratic Republic's candidacy for membership of the Human Rights Council for the period 2016–2018, highlighting that, if elected, it would do its utmost to contribute to the effectiveness and efficacy of the Council, and would continue to make concerted efforts to better the human rights of the Lao people.

B. Interactive dialogue and responses by the State under review

25. During the interactive dialogue, 73 delegations made statements. The recommendations made during the dialogue can be found in section II of the present report.

26. Norway noted the acceptance of its recommendation on maternal and child mortality and access to education made at the first UPR cycle. Norway encouraged a focus on achieving those Millennium Development Goals that were off-track.

27. Paraguay commended the accession to international human rights instruments, the revision of legislation aimed at protecting women and children's rights, and several

legislative amendments adopted since the first review. It appreciated efforts to fight poverty and to establish mechanisms to promote human rights.

28. The Philippines commended the commitment to enhancing human rights and to the UPR process, including the efforts to disseminate the outcome of the first UPR cycle. It noted that the accepted recommendations were included in national plans.

29. Poland appreciated the progress made, including the enactment or amendment of several laws and the setting up of several inter-agency mechanisms, while stating that further work was needed to fully implement international human rights standards.

30. Portugal welcomed the accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the progress in the promotion of women's rights.

31. The Republic of Korea commended the Legal Sector Master Plan on the Development of the Rule of Law and the recently enacted legislation and expressed hope that the Plan would be translated into concrete actions.

32. The Russian Federation appreciated the progress made in the implementation of a series of international human rights instruments and noted the acceptance of a series of measures taken for the protection of women's rights.

33. Serbia commended the commitment to the right to health, which was demonstrated through increased access to health services and the achievement of the Millennium Development Goal target on under-five mortality. It encouraged the Lao People's Democratic Republic to adopt the law on combating human trafficking.

34. Sierra Leone commended the plans in the field of the rule of law and congratulated the Lao People's Democratic Republic on the achievement of most of the Millennium Development Goals. It encouraged it to address reported discrimination against minorities and religious groups and land-grabbing practices in industrial exploitation.

35. Nepal appreciated the various legislative, procedural and institutional measures taken in implementing the recommendations from the first UPR cycle. Nepal encouraged the Lao People's Democratic Republic to build on its success in the implementation of the Millennium Development Goals.

36. Slovenia commended the efforts made in the promotion of gender equality, development and poverty eradication. Slovenia was concerned about reported discrimination against certain ethnic groups and human trafficking into and out of the country.

37. Spain acknowledged the role played by the country within ASEAN. While noting the ratification of most human rights treaties, it stated that further progress needed to be made to comply with article 6 of the International Covenant on Civil and Political Rights (ICCPR). Spain expressed concern about recent legislative amendments restricting the activity of non-governmental organizations (NGOs).

38. Sri Lanka commended the accession to CAT in 2012. It welcomed the Decree on Persons with Disabilities, and the prioritization of poverty reduction in the national development programme.

39. Referring to the case of the disappearance of a civil society activist in December 2012, Sweden noted that no results had been disclosed, despite a government statement that there would be a thorough investigation into the case.

40. Switzerland welcomed the ratification of CAT. It deplored the restrictions on the rights on freedom of expression, peaceful assembly and association emphasizing the core role played by independent civil society actors in promoting these rights. Switzerland

regretted that the activities of the International Committee of the Red Cross (ICRC) had been impeded in the country.

41. Thailand commended the significant progress made in aligning its domestic legislation with international human rights obligations and in implementing the national development plan. Thailand expressed willingness to share knowledge in realizing the right to development.

42. Timor-Leste appreciated the continuing efforts of the Government to improve the human rights situation, in particular the Law on the Development and Protection of Women.

43. The United Kingdom of Great Britain and Northern Ireland recognized the progress since the first UPR cycle, notably the ratification of CAT and improved international access to Hmong refugees. It was concerned about restrictions on civil society, land expropriation and compensation mechanisms.

44. The United States of America was concerned about restrictions on the freedoms of expression, peaceful assembly, association and religion, and the right to participate in genuine elections. It called on the Government to train local officials on the rights of all to freely manifest and practice one's religion.

45. Uruguay appreciated the Socioeconomic Development Plan 2011–2015, which has allowed sustainable economic growth. It noted that the Plan for 2016–2020 took into consideration poverty reduction, equity and human development. Uruguay highlighted the ratification of CAT.

46. Uzbekistan commended the progress made since the first UPR cycle and welcomed the plan to strengthen the rule of law, the constitutional and legal reforms being carried out in its framework, the ratification of CAT and cooperation with United Nations human rights mechanisms.

47. The Bolivarian Republic of Venezuela acknowledged the progress towards implementation of the UPR recommendations, such as the ratification of CAT. It noted the achievement of the most Millennium Development Goals, and poverty reduction through the Socioeconomic Development Plan.

48. Viet Nam welcomed the efforts in implementing the accepted recommendations from the first UPR, notably its remarkable progress in poverty alleviation, human development and improvements in governance.

49. Yemen noted that, despite obstacles, the Lao People's Democratic Republic had taken legislative measures to bring its laws in line with international commitments. It highlighted the ratification of most international human rights treaties.

50. Algeria commended the implementation of the recommendations in the sphere of governance, public administration and the rule of law since the first UPR cycle. Algeria praised the achievement of the Millennium Development Goals and the ratification of CAT in 2012.

51. Angola welcomed the accession to various human rights instruments, particularly CAT. Angola noted with satisfaction the adoption of the national plan for combating corruption and the modification of related legislation in 2012.

52. Argentina commended the adoption in 2014 of a decree aimed at promoting the rights of people with disabilities, and encouraged the country to accede to the Optional Protocol to the Convention on the Rights of Persons with Disabilities. It noted the intention to further ratify international human rights instruments.

53. Australia welcomed the commitment to incorporating recently ratified human rights conventions into domestic legislation. It raised concerns about the attempts to increase internet censorship, the socioeconomic development of the civil society, the disappearance of Sombath Somphone and the unequal treatment of minority religious groups.

54. Bangladesh noted the implementation of various projects related to poverty eradication and the decline in the percentage of people living in poverty. It praised the efforts made on children and women's rights.

55. Belarus noted with satisfaction the wide consultations conducted with civil society in the preparation of the second national report. It appreciated the efforts in poverty reduction and development.

56. Belgium urged an extension of a standing invitation to all special procedures. It expressed concerns about restrictions on freedom of expression, freedom of press, assembly and association, and enquired about the status of the investigation into the disappearance of Sombath Somphone.

57. Bhutan praised the enactment and amendment of important national laws resulting in positive reforms in human rights development since its first UPR. It commended the establishment of several inter-agency mechanisms to promote and protect human rights.

58. Brazil welcomed the implementation of the Seventh National Socioeconomic Plan and the efforts for unexploded ordnance survey and clearance. It noted with satisfaction the ratification of CAT in 2012, and encouraged a comprehensive definition of discrimination in compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

59. Brunei Darussalam welcomed the reforms in the national education sector to improve better access to education in urban and rural areas. It commended the expansion of the public health network, the implementation of health insurance and free health treatment for children under five.

60. Cambodia commended the promotion of gender equality and the protection of children and women's rights through various international conventions as well as national strategies and programmes. It praised the development of capacity-building on human rights, including training for Government and law enforcement officials.

61. Canada enquired about the steps taken to ensure full compliance with CAT at all levels of authority. It expressed concern about the condition and treatment of thousands of Hmong people repatriated from Thailand, and their freedom of religion and belief.

62. Chile highlighted several initiatives aimed at implementing the recommendations from the first UPR cycle, particularly the 2009 Master Plan on Promoting the Rule of Law.

63. China appreciated implementation of the accepted recommendations from the first cycle. It noted the progress made in achieving the Millennium Development Goals, strengthening the education sector, health, culture and adequate housing.

64. Costa Rica noted the progress made since the first cycle. It highlighted measures to ensure the enjoyment of economic, social and cultural rights and to fight poverty. It acknowledged reforms to guarantee the rule of law inviting the country to continue such efforts.

65. Cuba noted implementation of the accepted recommendations from the first UPR cycle, and human rights challenges faced by the country. It commended not only the efforts to reduce poverty, but also the national strategies aimed at reforming the health and education sectors.

66. The Democratic People's Republic of Korea highlighted the efforts to ensure political stability and peace noting the series of measures taken in promoting civil, political, economic, social and cultural rights.

67. The Democratic Republic of the Congo praised the efforts to implement the accepted recommendations of the first UPR cycle, making reference to the adoption and amendments of 90 laws. It praised the efforts made to reduce poverty and the ratification of CAT.

68. Djibouti welcomed the participatory and broad consultative approach to include all public institutions and NGOs in drafting the national report, reflecting a realistic assessment of the human rights situation in the country.

69. Egypt welcomed the positive policy and legislative reforms, including accession to CAT. It acknowledged that unexploded ordnance constituted a major obstacle that negatively impacts the Government's efforts to promote human rights.

70. Estonia noted with satisfaction the progress made in women's participation at the political level and the involvement of women in government and local administration at all levels. It expressed concern about the prevalence of violence against children at homes and at schools, and noted the deficiencies in practice in the right to freedom of expression and access to the Internet.

71. Ethiopia commended implementation of a significant number of recommendations from the first UPR. It appreciated the adoption of the Seventh National Socioeconomic Development Plan, designed to reduce poverty and address the root causes of underdevelopment.

72. Finland stated that more progress was needed with respect to the human rights of the most vulnerable groups such as women, children and ethnic groups. It stressed the instrumental role played by the human rights defenders in society referring to the disappearance of Sombath Somphone.

73. France welcomed the ratification of CAT and the progress made in social and economic rights-related areas. It deplored the severe restrictions imposed on civil society.

74. Germany thanked the delegation for the information provided on its advance questions.

75. The delegation of the Lao People's Democratic Republic reiterated the commitment of the Government to maintaining equality, justice and the rule of law. As regards Sombath Somphone, it mentioned that cases of disappearance happened throughout the world, sometimes as a result of conflict with criminal groups. Some cases are resolved expeditiously, others might require years to resolve, while many cases are still pending, despite the fact that today States have advanced investigation technologies. The delegation clarified that the Investigation Committee was always open to views or suggestions to help the investigation, and was ready to receive suggestions from any interested parties with regard to the ongoing investigation. The delegation gave assurances that the authorities were still conducting its investigations and would continue to conduct a thorough investigation into this case in order to find the truth and bring perpetrators to justice in accordance with the law.

76. The delegation cited the important judicial reforms that had taken place since the first UPR review, including the adoption of the Law on Lawyers, which has the substantive goal of ensuring that lawyers carry out their work effectively and in adherence of an enshrined professional code.

77. The delegation emphasized that the death penalty was maintained in its legal system in accordance with international human rights standards, and that there had been a moratorium on executions for some years.

78. The delegation noted that the Decree on the Management and Protection of Religious Activities was undergoing revision to ensure compliance with international treaty obligations, including article 18 of ICCPR, relevant UPR recommendations and those of the Special Rapporteur on freedom of religion or belief.

79. The delegation stated that the Government had implemented measures on development and on poverty reduction, especially as regards ethnic minorities. Penal Law prohibited all acts of discrimination based on ethnicity, and barriers to participation on the basis of ethnicity are considered punishable.

80. The Lao People's Democratic Republic specified its commitment to ethnic diversity in national governance, highlighting that all ethnic groups play an increasing role in the political, economic, social and cultural life of the nation.

81. The delegation noted that, in implementing the relocation policy of the Seventh National Socioeconomic Development Plan, the Government attached importance to preserving culture and livelihoods through public consultation meetings while creating suitable and necessary conditions for new development sites.

82. With respect to the Hmongs returning from Thailand, the delegation emphasized that Hmong people had equal rights to travel documents, passports and border passes.

83. In addition, the delegation stressed the strategic goal to eradicate mass poverty by 2015, and to graduate from the status of least developed country by 2020, noting that the Government was presently formulating the next five-year National Socioeconomic Development Plan for the period 2016–2020, with a focus on poverty eradication, equity growth and human resource development.

84. The delegation highlighted that education and health-care services in urban and rural areas had been improved as regards accessibility and quality.

85. The delegation noted that additional resources were required in order to achieve by the end of 2015 the targets of the Millennium Development Goals in the areas of nutrition, gender equality in primary education, the reduction of maternal and child mortality, the environment and unexploded ordnance clearance. The delegation referred to unexploded ordnance as a major humanitarian risk factor and a significant obstacle to development.

86. The delegation also noted that consultations had been held with stakeholders in formulating the guidelines to implement Prime Minister's Decree No. 013/PM, 2010, on international NGOs. The delegation went on to state that the Government had promulgated the Decree on Association No. 115/PM, 2009, and the Decree on Foundations No. 149/PM, 2011, which are in the process of improvement. Since opening for registrations in 2009, 147 associations and 10 foundations had officially registered.

87. In addition, the Government has attached great importance on the prevention of human trafficking. The country participated in the ASEAN and Greater Mekong submission framework as well as the implementation of the Australia-Asia Programme to Combat Trafficking in Persons.

88. The delegation noted that violations of individual freedoms of speech, writing, assembly and association were criminal offenses under Penal Law of the Lao People's Democratic Republic. In 2014, the Government issued a decree on the Internet in order to regulate social media. The decree forms a legal basis for the exercise of the right to freedom of access to and expression of opinion online.

89. Regarding penitentiaries, the delegation highlighted that the Government attached importance to building and developing prison infrastructures by allocating government budget to improve the living conditions and well-being of inmates. The delegation also noted that the Somsanga Rehabilitation Centre established in 1996 provided drug detoxification, rehabilitation and vocational training activities. Since its establishment, 25,984 drug-addicted patients had been treated at the Centre.

90. Ghana welcomed the steps taken to reduce poverty, raise the standard of living and improve labour laws, including the enactment of a social security law.

91. The Holy See commended steps to reduce poverty, improve health care and provide greater access to education, and ratification of CAT. It stated, however, that some situations required urgent attention.

92. Honduras acknowledged efforts to implement previous UPR recommendations, including poverty alleviation. It welcomed actions aimed at prioritizing gender equality and eliminating discrimination against women, laws and plans to fight human trafficking, and the Legal Sector Master Plan on the Development of the Rule of Law.

93. Hungary commended the ratification of CAT, and recognized the amendments to Penal Law and Criminal Procedure Law. It expressed concern about reports of discrimination against Christians and certain ethnic groups, while noting processes to amend the Prime Minister's Decree on Management and Protection of Religion.

94. India welcomed efforts to align domestic legislation with international human rights instruments and noted the establishment of the National Steering Committee on Human Rights. It praised National Assembly priorities towards development, measures to combat human trafficking and achievements in addressing violence against women.

95. Indonesia appreciated efforts to implement the Legal Sector Master Plan on the Development of the Rule of Law; and welcomed the National Socioeconomic Development Plan. It acknowledged contributions to regional human rights through the ASEAN Intergovernmental Commission on Human Rights.

96. The Islamic Republic of Iran noted improvements in education for children in urban and rural areas through the National Education Reform Strategy, and appreciated the National Action Plan on Anti-Human Trafficking.

97. Ireland noted the progress made in combating human trafficking, including the establishment of a Steering Committee and National Action Plan. Ireland expressed deep concern about perceived failures to adequately investigate allegations of enforced disappearance of human rights defenders and discrimination against religious and other minorities.

98. Italy commended the ratification of CAT and the adoption of legislative measures to better implement human rights protections. Italy welcomed the de facto moratorium on the death penalty and the intention to revise Penal Law in accordance with article 6 of ICCPR.

99. Japan praised the engagement with ASEAN and the ratification of core human rights conventions. It appreciated the preparation to ratify ICPPED, noting the disappearance of a human rights defender, as well as measures to protect women and children. It encouraged measures to guarantee freedom of expression and association.

100. Kuwait noted efforts to promote human rights, particularly in the economic, social and cultural fields, and to combat poverty and fulfil the Millennium Development Goals. It encouraged the Lao People's Democratic Republic to continue the efforts to promote the rights to work, education and health.

101. Latvia welcomed the steps taken to combat corruption and eradicate poverty. It encouraged cooperation with treaty bodies and special procedures while appreciating active participation within ASEAN. It welcomed efforts to ensure access to media and the Internet, while expressing concern about restrictions on freedom of expression.

102. Lebanon underscored the willingness to implement the Fifth Legislative Plan of the National Assembly and the Seventh National Socioeconomic Development Plan. It welcomed the accession to CAT and efforts to prevent torture.

103. Luxembourg commended the socioeconomic progress achieved since the first review and encouraged the authorities to ensure that domestic policies support equitable development throughout the country while paying particular attention to vulnerable groups.

104. Malaysia praised the steps taken to implement recommendations relating to gender violence and the trafficking of women and girls. It welcomed continuing efforts to strengthen the rule of law, governance and public administration and the participation in ASEAN mechanisms on human rights issues.

105. Mexico congratulated the progress made since the first review, including the establishment of mechanisms to follow up international human rights commitments, and that of the National Steering Committee.

106. The delegation of the Lao People's Democratic Republic highlighted that the Government had adopted a new National Plan of Action to Prevent and Eliminate Violence against Women and Children 2014–2020. The National Assembly had also adopted the Law on Preventing and Combating Violence against Women and Children.

107. The delegation also highlighted that the Government had attached significant importance to maintaining public budget allocation to the health and education sectors. In the area of maternal and child health, the Government had enacted a series of health and nutrition policies and plans of actions, which includes several explicit targets for the child and maternal health.

108. In response to concerns raised about birth registration, the delegation stated that the Government had developed the National Strategy and Plan of Action on Civil Registration and Vital Statistics. In support of this work, a survey was currently being conducted to assess potential opportunities for a digital birth registration system.

109. With regard to early child marriage, the Family Law had been amended in 2008 to set the legal age of marriage at 18. However, the delegation acknowledged that challenges remained in implementing the law.

110. In addition, the delegation highlighted that the Government had amended the Labour Law in 2013 to set the minimum working age at 14 years and to allow children to be employed in "light work" from 12 years of age. The Labour Law also introduced a new provision prohibiting hazardous work for all persons under 18.

111. The Government attaches great importance to the implementation of the Millennium Development Goals relating to the empowerment of women, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action and other international and regional instruments relating to the rights of women. The Government also pays attention to the elimination of negative attitudes towards women and to removing obstacles in the implementation of its policy on the promotion of gender roles and women's rights.

112. Mongolia appreciated the legislation promoting reform and accountability and acknowledged constructive engagement with civil society and international mechanisms. It welcomed the ratification of CAT while encouraging the ratification of other international human rights instruments and the Rome Statute of the International Criminal Court.

113. Montenegro noted the establishment of an inter-agency mechanism to promote and protect human rights. It noted that the Committee on the Rights of the Child (CRC) had expressed concern regarding early marriage within certain ethnic groups, and had requested the Government to elaborate on its activities to eliminate this practice.

114. Morocco commended measures to promote the rule of law and social, economic and cultural rights prioritizing poverty reduction, as well as to graduate from the status of least developed country by 2020. It appreciated accession to CAT and associated constitutional and legislative measures, particularly within penitentiary establishments.

115. Myanmar noted that the country's gross domestic product had recorded an approximately 8 per cent annual increase as a result of the implementation of the Seventh National Socioeconomic Development Plan (2011–2015).

116. Namibia noted the contributions made to regional development of human rights. It praised reform actions, expressing hope for the successful implementation of the Legal Sector Master Plan on the Development of the Rule of Law.

117. Singapore recognized policies to strengthen governance and better promote human rights. It noted programmes to reduce poverty, attain the Millennium Development Goals and graduate from the status of least developed country. It expressed concern about the disappearance of Sombath Somphone and urged the expeditious resolution of the case.

118. The Netherlands appreciated the ratification of CAT and encouraged the Lao People's Democratic Republic to continue its accession to core human rights treaties. While noting the shrinking space for civil society, it expressed serious concerned about enforced disappearances, particularly the unresolved case of Sombath Somphone.

119. New Zealand commended the role given to civil society and NGOs in supporting social and development objectives in the country. It also commended ongoing commitments to improving access to and the quality of basic education, especially for women and girls.

120. The head of the delegation of the Lao People's Democratic Republic highlighted that the Lao People's Democratic Republic looked forward to continuing its cooperation and engagement in the UPR process to further exchange experience and lessons and to learn the best practices on human rights implementation from other countries, on the basis of sovereign equality, trust and mutual respect.

II. Conclusions and/or recommendations**

121. **The following recommendations will be examined by the Lao People's Democratic Republic, which will provide responses in due time, but no later than the twenty-ninth session of the Human Rights Council, from 15 June–3 July 2015:**

121.1. **Continue to exert efforts to accede to the international human rights instruments to which it is not yet a party (Republic of Korea);**

121.2. **Ratify additional human rights conventions and reinforce efforts to combat child labour (Angola);**

121.3. **Ratify the remaining international human rights conventions and continue without delay to harmonize its national legislation with the international obligations of the Lao People's Democratic Republic's under the**

** The conclusions and recommendations have not been edited.

respective human rights conventions, and implement them in policy and practice and strengthen its legal complaints system to ensure that most vulnerable groups have effective access to justice (Finland);

121.4. **Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (ICCPR-OP-2) (Montenegro);/accede to ICCPR-OP 2, aimed at abolition of the death penalty (Poland);**

121.5. **Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Italy);**

121.6. **Ratify the Second Optional to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

121.7. **Consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);**

121.8. **Abolish the death penalty, and sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR) (Sweden);**

121.9. **Embark on the path to definitely abolishing the death penalty, and ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Luxembourg);**

121.10. **Become a party to the optional protocols to ICCPR and CEDAW (Canada);**

121.11. **Ratify CEDAW and its Optional Protocol (Algeria);**

121.12. **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (Switzerland; Uruguay);**

121.13. **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Paraguay);**

121.14. **Ratify the OP-CAT and the Rome Statute of the International Criminal Court (Honduras);**

121.15. **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Algeria; Honduras; Uruguay);**

121.16. **Consider the possibility of ratifying the ICRMW (Egypt);**

121.17. **Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Indonesia);**

121.18. **Consider accelerating its efforts towards its ratification of the migrant workers' rights convention (ICRMW) and of other international human rights instruments that it is not yet a party to (Philippines);**

121.19. **Ratify ICRMW and the optional protocols of CAT, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and CEDAW (Sierra Leone);**

121.20. **Implement its commitment made during the 2010 UPR to ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance (Netherlands);**

121.21. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Canada; Spain);**

121.22. **Ratify without reservations the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

121.23. **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and establish an independent commission to carry out impartial investigations in a prompt, impartial and effective manner into the alleged cases of enforced disappearances reported in the country (Italy);**

121.24. **Ratify the ICPPED and adopt implementing legislation, as well as mechanisms to independently investigate and identify perpetrators of those crimes (Brazil);**

121.25. **Conclude the process of ratification of the ICPPED shortly, and investigate vigorously all cases of enforced disappearances, including the case of civil society activist, Sombath Somphone, and inform the public transparently about the results of such investigation as far as feasible without endangering the investigation, and bring perpetrators to justice (Germany);**

121.26. **Ratify the ICPPED and modify the legislation accordingly; conduct independent and in-depth investigations on the cases of disappearances, in order to prosecute the perpetrators (France);**

121.27. **Ratify the ICPPED and define the crime of enforced disappearances as an offence in view of investigating and punishing such acts of crime (Argentina);**

121.28. **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities as well as the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain);**

121.29. **Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court and accede to the Agreement on the Privileges and Immunities of the Court (Estonia);**

121.30. **Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court, including by incorporating provisions to cooperate promptly and fully with the Court (Montenegro);**

121.31. **Ratify the Rome Statute of the International Criminal Court (France);**

121.32. **Accede to the Rome Statute of the International Criminal Court and to the Agreement on the Privileges and Immunities of the Court (Italy);**

121.33. **Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court (Latvia);**

121.34. **Accede to the Rome Statue of the International Criminal Court (Luxembourg);**

121.35. **Ratify the Rome Statute on the International Criminal Court and the ICRMW (Ghana);**

121.36. **Continue implementing the obligations under the international human rights treaties ratified by the Lao People's Democratic Republic (Kuwait);**

121.37. **Revise the Penal Code to make all new laws conform with international human rights standards, and repeal provisions of the law on media and the new decree on the Internet that criminalize basic human rights and subordinate individual rights to the interests of the state (Sweden);**

121.38. **Continue to incorporate the provisions of the human rights conventions, to which it is a party, in its national laws and development policies (Viet Nam);**

121.39. **Fully incorporate the major human rights treaties that the Lao People's Democratic Republic has ratified into its domestic laws and allocate adequate human and financial resources to implement the laws (Republic of Korea);**

121.40. **Continue the work on the implementation of the series of international human rights conventions, including those in the field of labour protection (Russian Federation);**

121.41. **Strengthen its efforts to achieve the Millennium Development Goals targets in the areas of maternal and child mortality and the environment by end of 2015, which is currently lacking behind (Bhutan);**

121.42. **Strengthen and seek further assistance from the international community to support its efforts towards development and in effectively implementing the recommendations arising from the UPR (Bhutan);**

121.43. **Enhance the implementation of the international human rights treaties, to which the Lao People's Democratic Republic is a party and the ASEAN Human Rights Declaration to benefit the entire Lao population (Cambodia);**

121.44. **Continue to reinforce efforts to support inclusive growth and prioritize budgetary allocations in primary education and in the reduction of malnutrition and maternal and infant mortality rates to achieve progress in the remaining Millennium Development Goals (India);**

121.45. **Take additional measures for the protection of women and children (Japan);**

121.46. **Further promote human rights culture in the country (Uzbekistan);**

121.47. **Further develop its sound and successful social policies to support the population, especially those most in need (Venezuela (Bolivarian Republic of));**

121.48. **Continue its national efforts, with the support and assistance of the international community, in the promotion and protection of human rights particularly in the realization of economic, social and cultural rights of its people (Bangladesh);**

121.49. **Continue with the efforts of realizing the targets of the Millennium Development Goals in the areas of nutrition, gender equality in primary education, reduction of maternal and child mortality (Sri Lanka);**

121.50. **Continue its efforts to reach the remaining targets of the Millennium Development Goals (Myanmar);**

121.51. **Continue the realization of all national efforts and international cooperation for the establishment of a national human rights institution in accordance with the Paris Principles (Chile);**

121.52. **Give continuity to strengthening of national human rights institutions and mechanisms (Nepal);**

121.53. **Establish a national human rights institution in accordance with the Paris Principles (Timor-Leste);**

121.54. **Establish a national human rights institution in accordance with the Paris Principles (Canada);**

121.55. **Establish a national human rights institution in accordance with the Paris Principles (Honduras);**

121.56. **Make efforts to establish an independent national human rights commission in accordance with the Paris Principles (India);**

121.57. **Ensure the creation of a strong, independent national human rights institution, which adheres to the Paris Principles (Latvia);**

121.58. **Establish a strong and independent national human rights institution in conformity with the Paris Principles (Costa Rica);**

121.59. **Consider establishing a national human rights institution compliant with the Paris Principles and provided with the necessary resources to adequately carry out its mandate (Portugal);**

121.60. **Consider establishing a national human rights institution in line with the Paris Principles (Egypt);**

121.61. **Further mainstream the rights of the vulnerable populations into its formulation of the Eighth National Socioeconomic Development Plan for 2016–2020. Enhancing economic and social opportunities for women, children, persons with disabilities, and older persons should be clearly mentioned in the next National Plan in order to ensure full implementation at all levels and in all sectors of society (Thailand);**

121.62. **Adopt a National Action Plan on Security Council resolution 1325 (2000) on women, peace and security (Portugal);**

121.63. **Continue efforts in education and training on human rights, particularly for State agents and civil servants (Morocco);**

121.64. **Strengthen international and regional cooperation in the protection and promotion of human rights (Viet Nam);**

121.65. **Analyse the possibility of creating a system for the monitoring of international recommendations which would facilitate the systematization of the tracking of the recommendations of the treaty bodies and the mechanisms of the Human Rights Council (Paraguay);**

121.66. **Submit their outstanding and long overdue reports to the relevant treaty bodies (Sierra Leone);**

121.67. **Submit national reports to the treaty bodies, including the ICESCR, and issue a standing invitation to special procedures (Japan);**

121.68. **Cooperate more systematically with the treaty bodies and permit the visits by special procedures (Luxembourg);**

121.69. **Strengthen the national capacities through cooperation with the United Nations human rights mechanisms, particularly the special procedures (Morocco);**

121.70. **Issue a standing invitation to all special procedures (Ghana);**

121.71. **Issue a standing invitation to all United Nations special procedures (Hungary);**

121.72. **Issue a standing invitation to United Nations special rapporteurs to the country (Netherlands);**

121.73. **Extend a standing invitation to all mandate holders (Latvia);**

121.74. **Extend a permanent and open invitation to the special procedures of the Human Rights Council (Paraguay);**

121.75. **Extend, before the end of 2016, a standing invitation to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression as well as to the Working Group on Enforced or Involuntary Disappearances (Norway);**

121.76. **Extend an open invitation to the special procedures and follow the recommendations they have provided as well as those of the treaty bodies (Uruguay);**

121.77. **Request technical assistance and cooperation as deemed appropriate from the international community, including relevant United Nation and specialized agencies in respect of capacity development for human rights implementation (Mongolia);**

121.78. **Continue to seek assistance from the international community to attain its objectives of full implementation of human rights (Djibouti);**

121.79. **Put forward more efforts to eliminate all forms of discrimination against women and ensure greater women's empowerment, representation and advancement in all sectors (Republic of Korea);**

121.80. **Further promote measures for the advancement of women and address traditional stereotype attitudes which limit their self-development (Myanmar);**

121.81. **Pursue efforts to improve women's access to education and health services and strengthen their role in local development planning (India);**

121.82. **Ensure full participation of women in the monitoring mechanisms of the Law on Development and Protection of Women adopted in 2004 and carry out dissemination campaign among the whole population of the country, particularly in rural areas (Mexico);**

121.83. **Expressly prohibit the dissemination of ideas based on racial incitement and discrimination, giving full effect to article 4 of ICERD (Chile);**

121.84. **Ensure that all ethnic groups are treated equally and have equal access to social services, including health and education (Ghana);**

121.85. **Establish a moratorium on execution with a view to abolishing the death penalty for all crimes (Uruguay);**

121.86. **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Australia);**

121.87. **Impose an immediate de jure moratorium on executions, with a view to the complete abolition of the death penalty for all crimes (Norway);**

121.88. **Declare a moratorium on executions pending the prompt abolition of the death penalty (Chile);**

121.89. **Institute an official moratorium on the passing of death sentences and on executions (Spain);**

121.90. **Formalize the moratorium on the death penalty in view of its abolition. Commute capital punishment into imprisonment (France);**

121.91. **Consider taking steps to formally establish a de jure moratorium on the use of the death penalty with a view to its legal abolition (Italy);**

121.92. **Restrict the application of the death penalty to the most serious crimes as a step towards the abolition of the death penalty (Spain);**

121.93. **Formally abolish the death penalty in law (Germany);**

121.94. **Carry out without further delay an independent, credible investigation into the unexplained disappearance of a human rights defender, Sombath Somphone, which occurred on 15 December 2012 in Vientiane (Luxembourg);**

121.95. **Carry out a prompt, independent and impartial investigation aimed at determining the fate or whereabouts of Sombath Somphone (Poland);**

121.96. **Undertake a thorough investigation, consistent with international practices and standards, into the disappearance of Sombath Somphone (Portugal);**

121.97. **Intensify the investigation into the disappearance of Sombath Somphone and accept external assistance in the investigation and make the results publicly known, and investigate in a transparent and credible manner all cases of enforced disappearances (Sweden);**

121.98. **Launch an impartial, efficient and in-depth investigation on the case of Sombath Somphone in accordance with the international obligations of the Lao People's Democratic Republic, and submit the results of the investigation in a transparent manner (Switzerland);**

121.99. **Establish a thorough, transparent and impartial investigation into Sombath Somphone's disappearance, as recommended by the United Nations Special Rapporteurs (United Kingdom of Great Britain and Northern Ireland);**

121.100. **Conduct an urgent and credible police investigation into the disappearance of Sombath Somphone, and communicate the findings, including to address any suspicions of government involvement in his abduction (Australia);**

121.101. **Undertake a thorough and credible investigation into the disappearance of Sombath Somphone and other cases of purported enforced disappearances (Canada);**

121.102. **Conduct a thorough and credible investigation into all and any unresolved cases of disappearances of civil society workers in the Lao People's Democratic Republic (New Zealand);**

121.103. **Define torture in its Criminal Procedure Code in accordance with the CAT standards (Serbia);**

121.104. **Include a definition of torture in line with CAT and add specific offences relating to torture and other ill-treatment into the relevant legislation (Hungary);**

121.105. **Guarantee ICRC unconditional and unrestricted access to local and central authorities as well as detention centres in the Lao People's Democratic Republic (Switzerland);**

121.106. **Ensure that detained persons are treated humanely and given access to legal counsel and all allegations of torture in detention are properly investigated (Ghana);**

121.107. **Ensure the effective respect of international human rights standards for persons deprived of liberty by allocating the necessary resources (France);**

121.108. **Continue carrying out the principles contained in CAT, with a specific focus on the elimination of arbitrary detention, especially of minors, and of violence occurring at the hands of law enforcement personnel (Holy See);**

121.109. **Establish legislation which penalizes early marriage, adopting appropriate measures towards its elimination (Chile);**

121.110. **Ensure the implementation of national laws created to abolish early marriage and impose sanctions penalizing this practice (Sierra Leone);**

121.111. **Redouble efforts to ensure that children were not employed in situations that could be detrimental to their health, development or well-being (Timor-Leste);**

121.112. **Establish measures and programmes to eradicate human trafficking and gender-based violence, especially of women and girls (Sierra Leone);**

121.113. **Implement the national action plan to combat corruption, including strengthening of laws and enforcement, and provide greater resources to independent anti-corruption bodies (New Zealand);**

121.114. **Step up efforts to prevent and combat modern forms of slavery and human trafficking with special attention to the investigation and prosecution of all cases of sale and trafficking of children, including providing protection of child victims (Serbia);**

121.115. **Take concrete steps to tackle human trafficking, in particular by strengthening the work of the National Steering Committee on Anti-Human Trafficking (Sri Lanka);**

121.116. **Fully implement national legislation on trafficking and address root causes of trafficking (Slovenia);**

121.117. **Continue implementing the legislation against all forms of trafficking, and formulate a specific legislation to combat human trafficking, especially of women and children (Holy See);**

121.118. **Speed up the drafting of a law on Anti-Human Trafficking (Indonesia);**

121.119. **Further strengthen its national legislation to combat human trafficking (Iran (Islamic Republic of));**

121.120. **Adopt a law to combat human trafficking, sexual exploitation, as well as to ensure victim rehabilitation (Lebanon);**

121.121. **Strive to eradicate the root causes of human trafficking (Belarus);**

121.122. **Implement the national legislation against trafficking in persons to curb the high incidence of trafficking in the country (Ghana);**

121.123. **Continue its efforts in training and capacity-building programme for government and law enforcement officials in dealing with the issue of trafficking in persons, particularly women and girls (Malaysia);**

121.124. **Continue its efforts in implementing its Legal Sector Master Plan on the Development of the Rule of Law (Philippines);**

121.125. **Continue implementing the Legal Sector Master Plan on the Development of the Rule of Law to improve its legal framework and institutional mechanisms (Cuba);**

121.126. **Continue to strengthen the rule of law and improve governance (Singapore);**

121.127. **Endeavour to implement the obligations under article 14 of ICCPR, which comprehensively guarantees the right to a fair trial and the rights of the accused (Namibia);**

121.128. **Continue to provide effective protection for the family, as the natural and fundamental unit of society (Egypt);**

121.129. **Ensure de jure and de facto protection of fundamental freedoms in order to be in conformity with ICCPR that has been ratified by the Lao People's Democratic Republic. Regarding freedom of expression; lift the restrictions to freedom of press, ensure the independence and pluralism of media, and a safe environment for the work of journalists. Regarding freedom of association, facilitate unhindered action for human rights defenders and NGOs, notably through a reform of their registration system (France);**

121.130. **Ensure the protection of the rights of persons belonging to religious and other minorities and effectively investigate all alleged abuses and violations (Ireland);**

121.131. **Fully respect the right to freedom of religion, promotion of tolerance and inter-religious dialogue (Slovenia);**

121.132. **Reinforce respect for the rights to freedom of religion, freedom of conscience and free association (Holy See);**

121.133. **Amend the Prime Minister's Decree on Religious Practice (Decree 92) to ease the process for religious groups to register their places of worship and allow new religious groups to obtain official recognition (United States of America);**

121.134. **Intensify the dialogue with religious leaders in order to erase all remaining restrictions on religions by law (Hungary);**

121.135. **Decriminalize defamation and misinformation and remove all undue restrictions on freedom of expression from the Penal Code, the Law on Publications and the newly adopted Internet law in conformity with the country's international human rights obligations (Latvia);**

121.136. **Fully implement its obligations under ICCPR to respect and ensure the right to freedom of expression (Canada);**

121.137. **Amend provisions of the Penal Code, the law on media, the law on Internet and all other legislation that criminalizes the exercise of fundamental rights in order to align Lao's legislation with international standards in this sphere (Belgium);**

121.138. **Guarantee freedom of expression, the press, assembly and association, as well as freedom of religion and belief in accordance with the International Covenant on Civil and Political Rights (Uruguay);**

121.139. **Ensure that the right to freedom of expression and its other international human rights commitments are upheld in any move to adopt a cyber law (United Kingdom of Great Britain and Northern Ireland);**

121.140. **Review its decree on Internet-based information control and management to ensure citizens' rights to information and expression are respected (Australia);**

121.141. **Ensure freedom of expression and media freedom, including Internet freedom by bringing its national legislation fully in line with international standards, including by decriminalizing defamation, misinformation and related offences in relevant national laws (Estonia);**

121.142. **Re-examine recent legislation that limits dissemination of certain information via the Internet, including through social media (New Zealand);**

121.143. **Promote the development of a free and open Internet by amending the Prime Minister's Decree, which appears to unduly limit the right to freedom of expression online (United States of America);**

121.144. **Take measures to ensure that all the legislation, especially on press and media, including digital media, is fully aligned with its international human rights obligations (Costa Rica);**

121.145. **Continue efforts to improve and facilitate access to the Internet and refrain from any restrictions on content other than permitted under international human rights law, in particular ICCPR (Germany);**

121.146. **Guarantee the effective exercise of freedom of expression, assembly and association by reforming its legislation particularly in order not to undermine the legitimate work of NGOs and human rights defenders (Luxembourg);**

121.147. **Reverse the approval of the Prime Minister's Decree on International Non-Governmental Organizations and implement the mechanisms necessary to accelerate the process of legalizing NGOs (Spain);**

121.148. **Refrain from undue restrictions, such as the prohibition to engage in the promotion and protection of human rights, in the elaboration of legislation on civil society organizations, and facilitate the registration of international NGOs (Germany);**

121.149. **Enable independent local and international NGOs, including international human rights organizations, to freely register and to operate in accordance with international law and standards (Norway);**

121.150. **Remove all restrictions in law and practice which infringe upon the work of civil societies and to ensure that all legal provisions on the rights to freedom of expression, association and peaceful assembly are in line with international human rights standards (Poland);**

121.151. **Fully implement its international obligations to ensure the protection of human rights defenders and other civil society actors while exercising their human rights, including the freedom of expression, association and assembly, and remove all restrictions in law and practice which infringe on their work. The Government of the Lao People's Democratic Republic should establish without delay a new independent commission to undertake an impartial and thorough investigation into the enforced disappearance of Sombath Somphone (Finland);**

121.152. **Reconsider decrees and guidelines that are overly burdensome on domestic and international civil society organizations through lengthy and opaque registration requirements, taxation and other means (United States of America);**

121.153. **Facilitate an environment for local and international civil society organizations to fulfil their role (Australia);**

121.154. **Fully enable civil society and NGO groups to conduct their activities (New Zealand);**

121.155. **Create a framework where civil society, including active human rights NGOs, can be included in the follow-up to the UPR without any fear of retaliation (Belgium);**

121.156. **Take all necessary steps to protect human rights defenders from intimidation, ill-treatment or violence, including enforced disappearances, and to ensure prompt, impartial and thorough investigation of all allegations, including those of enforced disappearances (Ireland);**

121.157. **Further work in empowering women in decision-making (Ethiopia);**

121.158. **Continue its efforts in realizing the right to work through comprehensive policies for productive and decent employment (Egypt);**

121.159. **Bring labour law into full compliance with international labour standards, including the freedom of association (Ghana);**

121.160. **Continue efforts to improve standards of living, ensure broad access to quality education and health services (Uzbekistan);**

121.161. **Continue ongoing efforts of the Government towards increased realization of the human rights of its people, including through poverty alleviation measures and investment in health and education (Nepal);**

121.162. **Pursue its efforts to broadly reduce poverty (Djibouti);**

121.163. **Continue its efforts to eliminate poverty, especially in remote regions (Viet Nam);**

121.164. **Continue its efforts to adopt a development policy to meet the needs of the people to reduce poverty in order to protect and promote human rights (Yemen);**

121.165. **Continue its efforts in the eradication of poverty (Bangladesh);**

121.166. **Continue to implement the National Action Plan for Poverty Reduction in order to alleviate poverty and improve the standards of living (Kuwait);**

121.167. **Continue its efforts in socioeconomic development and poverty eradication with a view of achieving its Millennium Development Goals target (Malaysia);**

121.168. **Implement national socioeconomic policies and continue its efforts to alleviate poverty by 2015 and to graduate from the status of least developed country by 2020 (Cuba);**

121.169. **Intensify its efforts to promote inclusive growth, especially in the rural and mountainous areas (Thailand);**

121.170. **Ensure in the elaboration and implementation of the national land policy that economic, social and cultural as well as civil and political rights of all affected persons are fully respected, including by applying international standards such as the guidelines on land tenure and on responsible investment in agriculture of the Food and Agriculture Organization of the United Nations, in particular by providing full, adequate and effective compensation for expropriations and by recognizing and protecting customary land rights (Germany);**

121.171. **Enforce the moratorium on new land concessions announced by the Government of the Lao People's Democratic Republic in June 2012 and reform the current system for the management of land leases and concessions (Poland);**

121.172. **Review existing land concessions and cancel or sanction those found to be violating the law (Sweden);**

121.173. **Continue the consolidation of its worthy programmes in health, leading towards universal quality health care for the whole population (Venezuela (Bolivarian Republic of));**

121.174. **Continue implementing policies to improve the general health of its population (Brunei Darussalam);**

121.175. **Continue the efforts to improve and develop health care infrastructure in remote areas in order to enable people for better health-care services (Democratic People's Republic of Korea);**

121.176. **Pay particular attention to the interests of children, especially with respect to health care and education, in its further work on improving the population's living standards (Belarus);**

121.177. **Continue its initiatives in the promotion and protection of the people's right to education (Brunei Darussalam);**

121.178. **Continue the implementation of ongoing national policies to guarantee for the multi-ethnic people to quality education (Democratic People's Republic of Korea);**

121.179. **Continue its educational reform towards comprehensive and inclusive education policies, with a particular focus on vulnerable groups, including children (Iran (Islamic Republic of));**

121.180. **Sustain efforts for children to have better access to education at various levels (Myanmar);**

121.181. **Continue socioeconomic reforms to better the lives of its people, in particular by investing in education (Singapore);**

121.182. **Continue to work to address issues such as a lack of teachers, school facilities and the marked differences between the quality of educational institutions in urban and rural areas (New Zealand);**

121.183. **Remedy school dropouts, especially in the rural areas (Djibouti);**

121.184. **Continue to address the problem of children who drop out of school (Lebanon);**

121.185. **Adopt legislation to prohibit the collection of school fees and take the necessary measures to ensure free and universal access to education regardless of gender, ethnicity, mother tongue, religion, belief, disability or social condition (Mexico);**

121.186. **Increase input in poverty reduction, implement the Eighth National Socioeconomic Development Plan, increase input in education, and further increase girls enrolment rate (China);**

121.187. **Increase efforts to promote and protect the cultural rights of the Lao people to preserve the national culture and the cultures and languages of ethnic groups in the Lao People's Democratic Republic (Cambodia);**

121.188. **Provide more financial and technical support for the preservation of Lao traditional and cultural heritage (Ethiopia);**

121.189. **Continue work on the protection of the rights of persons with disabilities (Russian Federation);**

121.190. **Adopt all the legislative and policy measures to guarantee a comprehensive inclusion of persons with disabilities in all spheres of activities to ensure the full enjoyment of their rights (Honduras);**

121.191. **Acknowledge and guarantee the indigenous peoples' rights, including by fully engaging indigenous peoples of the country in decision-making in all the matters that affect them (Estonia);**

121.192. **Strengthen cooperation with the Office of the United Nations High Commissioner for Refugees in order to adopt legal and administrative measures to guarantee respect of the principle of non-refoulement and to ratify the 1951 Convention relating to the Status of Refugees (Argentina);**

121.193. **Continue to modernize its birth registration system and improve access to remote locations, and step up efforts to ensure free and universal birth registration (Brazil);**

121.194. **Adopt legal and administrative provisions for the issuance of free birth certificates for all children born in the national territory, and for the establishment of civil registry offices in all districts, including rural districts (Mexico);**

121.195. **Continue efforts to modernize its birth registration system, and evaluate if more steps are needed to ensure access to universal birth registration in order to ensure the rights of children to nationality is adequately protected (Namibia);**

121.196. **Respect all its national and international obligations regarding forcibly displaced persons (Switzerland).**

122. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of the Lao People's Democratic Republic was headed by H.E. Mr. Phongsavath Boupha, Minister, Head of the President's Office, Chairman of National Steering on Human Rights and composed of the following members:

- H.E. Prof. Mr. Ket Kiettisak, Vice Minister of Justice, Deputy Head of Delegation;
- H.E. Mr. Khamsao Kaysong, Member of the National Assembly, Vice President of Ethnic Affairs Committee, the National Assembly;
- H.E. Mr. Thongphane Savanphet, Ambassador, Permanent Representative of the Lao People's Democratic Republic to the UN Office and other International Organizations in Geneva;
- Mr. Phoukhong Sisoulath, Director General, Department of Treaties and Law, Ministry of Foreign Affairs;
- Ms. Phavanh Nuanthasing, Director General, Department of International Organizations, Ministry of Foreign Affairs;
- Mr. Chit Thavisay, Director General, Planning and Cooperation Office, the National Board on Rural Development and Poverty Reduction;
- Mr. Viengthavisone Thephachanh, Director General, Department of Foreign Affairs, the National Assembly;
- Mr. Ampha Simmasone, Director General, Department of Public Administration Development, Ministry of Home Affairs;
- Mr. Pineprathana Phanthamaly, Director General, Department of Mass Media, Ministry of Information, Culture and Tourism;
- Mr. Saveng Phommaly, Director General, Department of Corrections and Detention Centers, Ministry of Public Security;
- Ms. Chansoda Phonethip, Head of the Secretariat of the Lao National Commission for the Advancement of Women;
- Ms. Chongchit Chantharanonh, Head of the Secretariat of the National Commission for Mothers and Children;
- Ms. Viengvone Kittavong, Minister Counsellor, Deputy Permanent Representative of the Lao People's Democratic Republic to the United Nations Office and other International Organizations in Geneva;
- Mr. Thavone Vongphosy, Deputy Director General, Department of Environmental and Social Impact Assessment, Ministry of Natural Resources and Environment;
- Mr. Bounpheng Saykanya, Deputy Director General, Department of Treaties and Law, Ministry of Foreign Affairs;
- Mr. Bovonethat Douangchak, Counsellor, Permanent Mission of the Lao People's Democratic Republic to the United Nations Office and other International Organizations in Geneva;

- Mr. Vongvilay Thiphalangsy, Director, Human Rights Division, Department of Treaties and Law, Ministry of Foreign Affairs;
- Mr. Thepthavone Sengmany, Director, News Research and Analysis Division, Press Department, Ministry of Foreign Affairs;
- Mr. Thiphasone Sengsourinha, Second Secretary, Permanent Mission of the Lao People's Democratic Republic to the United Nations in New York;
- Mr. Sengpraarthid Snookphone, Deputy Director, Human Rights Division, Department of Treaties and Law, Ministry of Foreign Affairs;
- Mr. Xayfhong Sengdara, Third Secretary, Permanent Mission of the Lao People's Democratic Republic to the United Nations Office and other International Organizations in Geneva;
- Mr. Phetvanxay Khousakoun, Interpreter, Department of Treaties and Law, Ministry of Foreign Affairs;
- Ms. Souksavanh Vichittavong, Camera woman, attaché, Permanent Mission of the Lao People's Democratic Republic to the United Nations Office and other International Organizations in Geneva.

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Report of the Working Group on the Universal Periodic Review*

Lao People's Democratic Republic

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Responses to UPR recommendations

The Government of the Lao PDR has carefully examined the 196 recommendations that it received during the twenty-first session of the Working Group on the Universal Periodic Review of the Human Rights Council on 20 January 2015. The Government of the Lao PDR accepts 116 recommendations including those that have already been put into practice and in line with the Lao PDR's Constitution, laws, policies and practice. The remaining recommendations are noted by the Government of the Lao PDR as they are inconsistent with the reality in the country. The positions on the specific recommendations are as follows:

Recommendations	Positions
121.1	**Accepted**
121.2	**Accepted**
121.3	**Accepted**
121.4	**Noted** As the Second Optional Protocol concerns the death penalty, please see 121.85 in which the reasons and explanations why the Lao PDR is not ready to repeal provisions on death penalty.
121.5	**Noted** See 121.4
121.6	**Noted** The Lao PDR ratified the ICCPR, CAT and ICESCR and has been concentrating its efforts on the effective and successful implementation of the conventions provisions as the first priority. At this stage, the Lao PDR is not ready to become a party to their optional protocols.
121.7	**Noted** See 121.4
121.8	**Noted** See 121.4
121.9	**Noted** See 121.4
121.10	**Noted** The Lao PDR recognizes the importance of gender equality and has pursued a proper policy in this regard. Women play an increasing role in the political, economic, social and cultural life of the nation. The Lao PDR is a party to CEDAW and has been successfully implementing its provisions. The Lao PDR needs more time to study the Optional Protocol to CEDAW in order to raise awareness and understanding of its provisions among officials, women's organisations and the public at large. At the same time, the country is putting in place effective domestic remedies in order that the country is ready to implement the Protocol in the future.
121.11	**Noted** See 121.10

121.12	**Noted** See 121.6
121.13	**Noted** The Lao PDR accepts this recommendation in part. As mentioned in 121.6, the Lao PDR is not ready to ratify the Optional Protocol to CAT.
121.14	**Noted** The Lao PDR accepts this recommendation in part (see 121.6) For the Rome Statue of ICC, the Lao PDR supports the principles enshrined in the ICC Statute. The ratification of the Rome Statute is accordingly in line with the Government's policies. The country also needs in particular to build capacity of the Lao judiciary to be prepared for the implementation in the future. The Lao PDR will continue to study the ICC and to educate and inform the relevant officials in the judiciary, the military and the law enforcement agencies about the significance of the ICC and its principles.
121.15	**Noted** The Lao PDR is a party to 7 UN Core Human Rights Conventions and a signatory to the International Convention for the Protection of All Persons from Enforced Disappearance. This is already a huge burden for the country with its limited resources to fulfill treaty obligation including the reporting obligations under the ratified treaties. Also, the Lao PDR needs more time to study the International Convention for the Rights of Migrant Workers and their Family Members to prepare for its implementation.
121.16	**Noted** See 121.15
121.17	**Noted** See 121.15
121.18	**Noted** See 121.15
121.19	**Noted** See 121.6 and 121.15
121.20	**Accepted**
121.21	**Accepted**
121.22	**Noted** At this moment, the Lao PDR is considering to ratify CED. The Lao PDR at this stage is unable to declare whether it will ratify it without any reservation or not. The Lao PDR will be able to do so only after a thorough study of the convention.
121.23	**Noted** Currently the Lao PDR is considering ratifying CED. The alleged cases have been investigated by related authorities and found out that such allegations are not true.
121.24	**Noted**

See 121.23

121.25 **Noted**
See 121.23

121.26 **Note**
See 121.23

121.27 **Accepted**

121.28 **Noted**
The Lao PDR has ratified the CRPD and CAT. The country intends to concentrate its efforts on the effective and successful implementation of the conventions as the first priority, and will consider Optional Protocols in the future.

121.29 **Noted**
See 121.14

121.30 **Noted**
See 121.14

121.31 **Noted**
See 121.14

121.32 **Noted**
See 121.14

121.33 **Noted**
See 121.14

121.34 **Noted**
See 121.14

121.35 **Noted**
See 121.14 and 121.15

121.36 **Accepted**

121.37 **Noted**
The first part of the recommendations are acceptable for the Lao PDR as it is currently in the process of creating a new Penal Code trying to ensure that the country's relevant human rights obligations are reflected in the new Penal Code, but the country cannot accept the second part of the recommendation, simply because no Laws and Decrees in the Lao PDR, including the Media Law and the Internet Decree have provisions that criminalize the exercise of basic human rights.

121.38 **Accepted**

121.39 **Accepted**

121.40 **Accepted**

121.41 **Accepted**

121.42 **Accepted**

121.43 **Accepted**

121.44 **Accepted**

121.45 **Accepted**

121.46	**Accepted**
121.47	**Accepted**
121.48	**Accepted**
121.49	**Accepted**
121.50	**Accepted**
121.51	**Noted** The Lao PDR will concert efforts to strengthen its existing national human rights arrangements mechanisms, including those mechanisms that deal with human rights complaints. Among, other human rights mechanisms, the Lao National Steering Committee on Human Rights functions to coordinate human rights activities in the Lao PDR such as making proposals for ratification of human rights treaties and dealing with issues related to the promotion and protection of human rights of the Lao people. The Committee will strengthen its capacity to supervise and coordinate the implementation of human rights obligations and commitments of the Lao PDR in a more effective and efficient way, including coordinating the translation of such obligations and commitments into national laws, policies and actions. Meanwhile, the Lao PDR also has other specific Committees/Commissions that deal with specific human rights. In addition, the Lao PDR's judiciary has jurisdiction to adjudicate human rights related cases, while the National Assembly receives human rights-related and other legitimate complaints from the people. Putting together the existing human rights arrangements and mechanisms, in effect the Lao PDR has national mechanisms that deal with human rights, almost similar to the Paris principles-based NHRI. Nevertheless, the Lao PDR will study experience of other countries that have a successful NHRI and may consider NHRI in the future.
121.52	**Noted** See 121.51
121.53	**Noted** See 121.51
121.54	**Noted** See 121.51
121.55	**Noted** See 121.51
121.56	**Noted** See 121.51
121.57	**Noted** See 121.51
121.58	**Noted** See 121.51
121.59	**Noted** See 121.51

121.60	**Noted** See 121.51
121.61	**Accepted**
121.62	**Accepted**
121.63	**Accepted**
121.64	**Accepted**
121.65	**Accepted**
121.66	**Accepted**
121.67	**Noted** The Lao PDR is in the process of drafting national reports under the Treaty Bodies, including ICCPR, ICESCR and CRPD. The Government intends to submit all overdue reports in the near future. As for inviting special procedures, see 121.68.
121.68	**Accepted**
121.69	**Accepted**
121.70	**Noted** The Lao Government is currently preparing for inviting special rapporteurs to visit the country by organizing seminars to raise awareness and understanding of the roles and functions of the special procedure among Government officials and stakeholders. The Lao PDR plans to invite the UN Special Rapporteur on Adequate Housing to visit the country in the near future and will consider inviting other Special Rapporteurs on a case by case basis.
121.71	**Noted** See 121.70
121.72	**Noted** See 121.70
121.73	**Noted** See 121.70
121.74	**Noted** See 121.70
121.75	**Noted** See 121.70
121.76	**Noted** See 121.70
121.77	**Accepted**
121.78	**Accepted**
121.79	**Accepted**
121.80	**Accepted**
121.81	**Accepted**

121.82	**Accepted**
121.83	**Accepted**
121.84	**Accepted**
121.85	**Noted** The Lao PDR retains death penalty in its legal system merely as a measure to deter the most serious crimes. However, in reality the Lao PDR has been practicing a moratorium on execution for a long time thanks to Lao Government's humanitarian policy. Under the Penal Law, death penalty is not imposed on a person under 18 years old and a pregnant woman. Over the past years, many persons sentenced to death have their sentence reduced to life imprisonment due to their good behaviors. As a practice, every year the President of the Lao PDR grants amnesties, sentence reductions or pardons to a large number of prisoners including Lao citizens and foreigners. The Lao PDR is in the process of creating a new comprehensive Penal Code. In this process, the list of offenses subject to death penalty under the current Penal Law is being revised so as to be fully in compliance with Article 6 of the ICCPR.
121.86	**Noted** See 121.85
121.87	**Noted** See 121.85
121.88	**Noted** See 121.85
121.89	**Noted** See 121.85
121.90	**Noted** See 121.85
121.91	**Noted** See 121.85
121.92	**Noted** See 121.85
121.93	**Noted** See 121.85
121.94	**Noted** The reason why the Lao PDR does not accept this and other recommendations on the missing case is that these recommendations partly contain the language or wording that do not reflect the reality in the Lao PDR. Following the missing of Mr. Sombath Somphone, the the Government set up an investigation committee to promptly conduct an investigation to locate his whereabouts. The Investigation Committee undertook all the necessary steps in the investigation under the law of the Lao PDR. The

	Committee was opened to views or suggestions from all interested parties, especially the Committee met with and informed all interested parties, especially Ms Ng Shui Meng from time to time in the investigation process. The investigation authorities issued reports to the public through the media on the progress of the investigation. The Lao Government confirms that the concerned authorities of the Lao PDR are still thoroughly conducting the investigation and will continue to do so in order to find out the truth and bring perpetrators to justice in accordance with the law of the Lao PDR.
121.95	**Noted** See 121.94
121.96	**Accepted**
121.97	**Noted** See 121.94
121.98	**Accepted**
121.99	**Accepted**
121.100	**Accepted**
121.101	**Noted** See 121.94
121.102	**Noted** See 121.94
121.103	**Accepted**
121.104	**Accepted**
121.105	**Noted** With regard to the access by ICRC to local and central authorities as well as the penitentiary and detention centres, the Lao PDR will consider requests for such access on a case-by-case basis in accordance with the Law of the Lao PDR.
121.106	**Accepted**
121.107	**Accepted**
121.108	**Accepted**
121.109	**Accepted**
121.110	**Accepted**
121.111	**Accepted**
121.112	**Accepted**
121.113	**Accepted**
121.114	**Accepted**
121.115	**Accepted**
121.116	**Accepted**

121.117 **Accepted**

121.118 **Accepted**

121.119 **Accepted**

121.120 **Accepted**

121.121 **Accepted**

121.122 **Accepted**

121.123 **Accepted**

121.124 **Accepted**

121.125 **Accepted**

121.126 **Accepted**

121.127 **Accepted**

121.128 **Accepted**

121.129 **Noted**

The Lao PDR constitution and law guarantee the freedom of expression. No legislation in the country allows for suppression of freedoms of assembly and expression. For this very simple reason, the Lao PDR cannot accept this and other similar recommendations.

In 2014, the Government issued a Decree on Internet in order to manage and facilitate internet use as well as the social media. This Decree forms a legal basis in the enjoyment of the right to access to information and expression of opinions in a responsible manner which is in line with international law, including the provisions and permissible limitations in Article 19 of the ICCPR.

The Lao Government encourages mass, media, professional and social organizations to be involved in human rights education, advocacy and monitoring. These organisations participated in the process of UPR, periodic reports under treaties. Particularly, local NPAs were consulted on the UPR recommendations of the second cycle review before the Government gave final consideration to the recommendations.

The Lao Government has adopted the Guidelines on the implementation of the Prime Minister's Decree on INGOs. The drafting of the Guidelines were undertaken in consultation with a wide range of stakeholders including INGOs, international organisations and development partners. The Guidelines are not aiming at restrictions but effectively managing and facilitating the activities of INGOs which have made meaningful contributions to the development of the Lao PDR. The concerns raised by some INGOs concerning the Guidelines, especially tax issue have been addressed to the satisfaction of all parties.

121.130 **Accepted**

121.131 **Accepted**

121.132	**Noted** The Lao PDR respects and protects the right to freedom of religion and all lawful religious activities, according to the Lao PDR's constitution prohibits acts of discrimination based on religions or beliefs. The constitutional provisions are detailed in the Decree on the Management and Protection of Religious Activities in the Lao PDR, which regulates and protects all the religious activities, with a view to ensuring that all religions are equal before the law and enjoy equal protection of the law. The Decree is being revised currently to ensure its practicality with the current conditions, and better implementing the country's international obligations and commitments including Article 18 of the ICCPR, the relevant UPR recommendations, the recommendations from the Special Rapporteur on Freedom of Religion and Beliefs who visited the Lao PDR some years ago. In undertaking amendments to the Decree consultations with representatives of all religions and faiths were held. The Drafting Committee under the Ministry of Home Affairs integrated inputs from the consultations in the finalization of the draft Decree, which has already been submitted to the Government for approval.
121.133	**Accepted**
121.134	**Accepted**
121.135	**Noted** See 121.129
121.136	**Accepted**
121.137	**Noted** See 121.129
121.138	**Accepted**
121.139	**Accepted**
121.140	**Noted** See 121.129
121.141	**Noted** See 121.129
121.142	**Accepted**
121.143	**Noted** See 121.129
121.144	**Accepted**
121.145	**Accepted**
121.146	**Noted** See 121.129
121.147	**Noted** See 121.129
121.148	**Noted** See 121.129

121.149	**Noted** See 121.129
121.150	**Noted** See 121.129
121.151	**Noted** See 121.129
121.152	**Accepted**
121.153	**Accepted**
121.154	**Accepted**
121.155	**Noted** See 121.129
121.156	**Noted** See 121.129
121.157	**Accepted**
121.158	**Accepted**
121.159	**Accepted**
121.160	**Accepted**
121.161	**Accepted**
121.162	**Accepted**
121.163	**Accepted**
121.164	**Accepted**
121.165	**Accepted**
121.166	**Accepted**
121.167	**Accepted**
121.168	**Accepted**
121.169	**Accepted**
121.170	**Accepted**
121.171	**Accepted**
121.172	**Accepted**
121.173	**Accepted**
121.174	**Accepted**
121.175	**Accepted**
121.176	**Accepted**
121.177	**Accepted**
121.178	**Accepted**
121.179	**Accepted**
121.180	**Accepted**

121.181	**Accepted**
121.182	**Accepted**
121.183	**Accepted**
121.184	**Accepted**
121.185	**Accepted**
121.186	**Accepted**
121.187	**Accepted**
121.188	**Accepted**
121.189	**Accepted**
121.190	**Accepted**
121.191	**Noted** The constitution, laws and policies of the Lao PDR ensure the equality and non-discrimination among the 49 ethnic groups in the Lao PDR. No ethnic groups are inferior to the others. Representatives of ethnic groups hold official positions at different levels of Government and State organs. At local levels, people potentially affected by development projects participate in consultation and express their views. No ethnic group in the Lao PDR is considered as indigenous and all the 49 ethnic groups are equal. Therefore, the Lao PDR does not support the part of a recommendation that contains "indigenous people".
121.192	**Noted** The Lao Government recognises the important role of UNHCR as a global humanitarian agency in assisting refugees worldwide. The Lao PDR still continues cooperation with UNHCR in various ways even though there is no refugee issue in Laos. On the ratification of 1951 Convention relating to the Status of Refugee, the Lao PDR needs more time to study the convention, but at this stage the convention is not directly related to the present day of the Lao PDR.
121.193	**Accepted**
121.194	**Accepted**
121.195	**Accepted**
121.196	**Accepted**

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Spain

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Introduction

1. The Working Group on the Universal Periodic Review , established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Spain was held at the 5th meeting on 21 January 2015. The delegation of Spain was headed by Ignacio Ybáñez, Secretary of State for Foreign Affairs. At its 10th meeting held on 23rd January 2015, the Working Group adopted the report on Spain.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Spain: the former Yugoslav Republic of Macedonia, Sierra Leone and the United Kingdom of Great Britain and Northern Ireland.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Spain:

(a) A national report submitted/written presentation prepared in accordance with paragraph 15 (a) (A/HRC/WG.6/21/ESP/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/ESP/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/ESP/3).

4. A list of questions prepared in advance by the Czech Republic, Germany, the Netherlands, Norway, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Spain through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Secretary of State for Foreign Affairs of Spain considered that the universal periodic review was an essential tool for assessing human rights policies and laws and a mechanism for dialogue between States on their commitment to the universal system of promotion and protection of human rights.

6. The delegation recalled that Spain had ratified most human rights instruments and optional protocols, submitted all its reports to the treaty bodies and extended an open invitation to the special procedures. Since its first UPR, Spain had received visits from four special procedures.

7. The drafting of the national report was intended as an exercise in self-criticism—an essential element of the UPR—and included the participation of ministries and other public institutions, and civil society. The suggestions from civil society were extremely useful to better understand how laws and policies promoted by the Government were perceived. The national human rights institution, the Defensor del Pueblo, also participated in the process as an observer.

8. The national report focused, primarily, on the recommendations received in 2010—previously addressed in the voluntary interim report submitted in 2012—and on the developments and events of recent years, particularly the fiscal adjustment undertaken to counter the global economic and financial crisis, which still had significant repercussions.

The delegation recalled that the Government had taken into account the criteria established by the Committee on Economic, Social and Cultural Rights regarding adjustment measures, which should be proportionate, provisional, necessary and not be regressive or discriminatory.

9. The delegation went on to describe some of the main themes of the national report. It mentioned, at the institutional level, the establishment of hate crime and discrimination departments in each of the provincial prosecutor's offices in Spain. It also highlighted the establishment of the post of National Rapporteur on human trafficking to improve coordination among the various institutions involved.

10. The delegation stressed that, at the legislative level, the ongoing reform of the penal code would lead to significant developments in the human rights field. For instance, the reform would criminalize forced marriage, strengthen the protection of victims of gender violence, amend the definition of sexual exploitation and forced prostitution and strengthen the protection of children against offences affecting their sexual freedom. The reform would also define the crime of enforced disappearance as a separate offence.

11. Regarding the implementation of the recommendations received in 2010, the delegation noted that the Government intended to adopt, further to consultations, a new national human rights plan with a longer time span, making it a State policy. Furthermore, since its first UPR, Spain had adopted, implemented or advanced the development of various specific plans such as the Strategic Plan on Equality of Opportunity for the period 2014–2016.

12. The delegation considered that the eradication of gender-based violence would only be achieved through the fight for equality. Spain had established a data-collecting system on gender-based violence that was considered to be a model and the Government maintained a zero tolerance policy on gender-based violence.

13. An important group of recommendations received in 2010 related to racial discrimination and xenophobia. The delegation stated that Spain had adopted, in November 2011, the Comprehensive Strategy against Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance. A Map of Discrimination in the country was being developed, to improve data collection and official statistics regarding incidents and crimes involving discrimination. The training of State security forces had been enhanced, to assist them in identifying racist and xenophobic incidents. An independent department providing assistance for victims of discrimination on grounds of racial or ethnic origin had also been established.

14. The delegation stated that the migrant holding centres were not penitentiary facilities and that people in those centres were always held according to judicial authorization and under judicial oversight. New rules of procedure had also been adopted in March 2014, incorporating a series of guarantees.

15. The autonomous cities of Ceuta and Melilla were under extraordinary migratory pressure. The temporary migrant reception centres, which operated under an open regime, provided basic social services to illegal immigrants and asylum seekers. The Government was undertaking reforms in the reception centres in response to the ever-increasing number of arrivals. Additionally, the Government had decided to establish refugee offices at the Ceuta and Melilla border posts to process asylum applications in situ.

16. Regarding the fight against torture, the delegation recalled that the Ombudsman performed the function of a national preventive mechanism and that, in the context of the ongoing reform of the Criminal Procedure Law, increased safeguards against torture and ill-treatment had been incorporated.

17. Despite the economic crisis, the Government was trying to secure access to justice for the most vulnerable, in particular through the draft Law on the Statute of Victims, which provided a global response, both legal and social, to the needs of the victims of crime, and an extensive list of victims' rights.

18. The Government was aware of the serious impact of the economic crisis on children. Child poverty rates had always been comparatively high in Spain, but the decline in household income, as a result of the economic crisis and the impact of unemployment on families, constituted a burden which the Government was striving to address.

19. On the right to education, the delegation noted that the investment rate per pupil in public education, the student-teacher ratio and the percentage of expenditure on child public education were relatively high compared to the equivalents in neighbouring countries. Additionally, the Act on the Improvement of Educational Quality (Organic Act No. 8/2013) had been adopted in December 2013, with the aim of reducing the rate of early dropout from school, improving educational standards in accordance with international benchmarks and enhancing the employability and entrepreneurship of students.

20. With regard to the right to health, in 2012 the Government had initiated a reform to guarantee the sustainability of the national health system, under which health care in emergency situations, during pregnancy, childbirth and the postnatal period, and for those under 18 is guaranteed for undocumented immigrants under the same conditions as for Spanish citizens.

21. In conclusion, the delegation noted that Spain had an advanced legal and institutional framework but that its implementation required improvements. To achieve this, it was necessary to exert the political will—which was present—and obtain the necessary resources, which were scarce owing to the financial crisis and budgetary restrictions. As evidence of its political will, the Government had announced initial measures to reverse the effects of the restrictions for the most vulnerable groups, such as the enactment, on 1 January 2015, of a tax reform which involved a general reduction in income tax for individuals, particularly for lower-income taxpayers. In addition, the social expenditure foreseen for 2015 represented 53.9 per cent of the Government's budget.

B. Interactive dialogue and responses by the State under review

22. During the interactive dialogue, 88 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

23. Indonesia appreciated the role of Spain in promoting interfaith and intercultural dialogue through the Alliance of Civilizations, the establishment of provincial hate crime departments and the Comprehensive Strategy against Racism.

24. The Islamic Republic of Iran expressed concern over a number of human rights violations, including continued racial discrimination against minorities, in particular Muslims.

25. Ireland noted the adoption of the National Strategy for the Elimination of Violence against Women and steps taken to improve legal safeguards for detainees through the 2011 Criminal Procedure Bill.

26. Israel expressed concern about the obstacles faced by the children of illegal immigrants in accessing education and health, as well as the excessive use of force in border areas.

27. Italy commended the Spanish authorities on the institution of the post of National Rapporteur on human trafficking and enquired about the status of the review of the new National Human Rights Plan by parliament.

28. Japan was encouraged to see that the present administration continued to give importance to human rights and to hear that it was considering a new national human rights plan.

29. Jordan commended Spain for the improvements made in the legislative framework, such as the reform of the Criminal Code and the adoption of the second Strategic Plan for Citizenship and Integration.

30. Kuwait commended Spain for its improvement of the legislative framework by making some amendments to guarantee the protection and promotion of human rights. Kuwait also appreciated policies adopted to ensure equal opportunities.

31. Lebanon noted the implementation of the Historical Memory Act. It commended the Comprehensive Strategy against Racism, Racial Discrimination and Xenophobia and the establishment of hate crimes and discrimination departments in provincial public prosecutors' offices.

32. Libya wished success to Spain in its efforts to ensure the protection and promotion of human rights.

33. Malaysia acknowledged the significant achievements made by Spain, including in the area of combating gender-based violence, and also indicated the remaining challenges related to the impact of the economic crisis.

34. Mauritania noted progress in combating discrimination against women, protecting the rights of migrants and combating racism and xenophobia. Mauritania praised the law to improve the quality of education.

35. Mexico recognized advances vis-à-vis the first cycle, including gender equality in labour and noted the ongoing challenges, especially regarding economic, social and cultural rights.

36. Montenegro noted that the Committee on Economic, Social and Cultural Rights and the Committee on Racial Discrimination had expressed concerns at the persistent discrimination against the Gypsy community in daily life.

37. Morocco welcomed the planned reform of the Penal Code to strengthen the fight against trafficking in persons, discrimination, xenophobia and racism, and the attachment of Spain to the dialogue among civilizations.

38. Myanmar noted with appreciation that Spain had adopted several plans and measures to promote and protect human rights and that progress was being made in their implementation.

39. Namibia commended Spain on the adoption of the Strategic Plan for Equality of Opportunity 2014–2016, and trusted that the various auxiliary plans would ensure its implementation.

40. The Netherlands commended the finalization of the Action Plan on Business and Human Rights but remained concerned by limited improvement in preventing criminal offences by police officers and protecting victims of gender-based violence.

41. Nicaragua welcomed legislative, including penal, reforms to strengthen the protection of human rights, and expressed concern about the situation of migrants in Spain, especially women and children.

42. Norway welcomed the efforts made to deal with the extraordinary migratory pressures in Ceuta and Melilla and asked about the response of Spain to concerns regarding the fairness and efficiency of asylum procedures.

43. Pakistan noted as encouraging that Spain had made efforts to implement recommendations received during the first cycle of the UPR.

44. Panama congratulated Spain for the ratification of several international conventions since its first UPR.

45. Paraguay appreciated the financial support to OHCHR and the open invitation to all special procedures, and welcomed programmes on eliminating discrimination and gender-based violence.

46. The Philippines noted positive developments in the fight against trafficking and the elimination of gender-based violence. It remained concerned at alleged discrimination and ill-treatment of unaccompanied migrant children as reported by United Nations mechanisms.

47. Poland commended the efforts of Spain with regard to the adoption of international human rights law and standards and the amendments to the Criminal Code with a view to combating discrimination, racism and xenophobia.

48. Portugal welcomed the determination of Spain in combating violence against women and in promoting gender equality, noting the adoption of the National Strategy for the Elimination of Violence against Women.

49. Qatar appreciated strategies to promote the rights of children with disabilities and the rights of women, the establishment of a rapporteur on trafficking and the participation of Spain in the Alliance of Civilizations.

50. The Republic of Korea welcomed the establishment of a hate crime department in provincial prosecutors' offices and the Rapporteur on human trafficking, and the inclusion of human rights in school curricula.

51. The Republic of Moldova noted significant steps to combat human trafficking and asked for more information on preparing a second plan against trafficking for the purposes of sexual exploitation.

52. Romania commended Spain for the submission of a mid-term report and noted that, following a peaceful transition, the country had built a vibrant democracy that had stood up to the challenges of terrorism and to an economic crisis.

53. The Russian Federation welcomed the efforts of the Government to protect human rights, including the implementation of UPR recommendations. It noted violations of migrants' rights and prison overcrowding.

54. The Spanish delegation welcomed the references made by several delegations to the Alliance of Civilizations, a Spanish-Turkish initiative in its origins, as well as to the Business and Human Rights Plan, and expressed thanks for the cooperation of several countries in its preparation. In response to questions on discrimination, racism and xenophobia, the Spanish delegation mentioned that, under the strategy to combat racism and xenophobia, a series of activities for prevention and detection had been developed, such as the Annual Report on Racism and Xenophobia. Training, public policies and institutional cooperation had also been strengthened.

55. Regarding the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the delegation recalled that the Spanish Constitution and legislation guaranteed the rights of migrants. Spain followed the European Union position on the matter.

56. Regarding the fight against gender-based violence, the Spanish policy was based on promoting responsible, united and sustained action with the participation of all public institutions and civil society associations. Measures taken in the previous few years were the creation of the Observatory for domestic gender-based violence, the adoption of gender based laws, and the International Strategy to eradicate Violence Against Women 2013–2016. The delegation also mentioned efforts to improve the training of police officers, health-care professionals, social workers and judicial officers with a victim's approach. With regard to the judiciary, the delegation recalled the reform of the Penal Code and a draft law on the legal status of victims. Spain was also working to enhance the visibility of other forms of violence, such as trafficking and the sexual exploitation of women and girls, female genital mutilation and forced marriage.

57. Concerning the migration situation in the autonomous cities of Ceuta and Melilla, the delegation stated that there were two different legal proceedings established by law regarding the return of foreigners who had entered Spanish territory. Both respected a series of guarantees, such as the right to request international protection, the provision of free legal aid, access to interpreters and non-return in the case of pregnant women where health risks were involved. The delegation added that operations to prevent the entry of foreigners into Spain were a different situation, which occurred during border patrols in Ceuta and Melilla. Denials of entry were exerted by Spain as a sovereign right within the framework of its obligations as a member of the European Union. The delegation of Spain informed the Working Group that attempts to enter Spain by those borders were ongoing, on a mass scale and violent and that they constituted a problem of internal security and public order. In any intervention, the authorities always took into consideration the principle of proportionality and opportunity and the possibility that among the people concerned, there could be persons in a vulnerable situation who required assistance.

58. The delegation referred to a question related to the incorporation of a provision in the Protection of Public Safety Bill to amend the Migration Law. The purpose of the amendment was to recognize the specificity of Ceuta and Melilla from the geographical, border and security perspectives. The amendment was being debated in parliament, including consultations with international expert bodies. The amendment, if adopted, would comply with international obligations regarding access to international protection and non-refoulement.

59. Rwanda appreciated the policies adopted to promote equality of opportunity for women and the laws and policies on the sexual exploitation of children and adolescents and on trafficking in persons.

60. Senegal welcomed the various initiatives taken for the implementation of the recommendations made in the first cycle, especially on violence against women, the situation of rural women, equal opportunities and education.

61. Serbia noted with satisfaction the comprehensive national report of Spain and its cooperation with the Ombudsman and other representatives of civil society.

62. Sierra Leone commended the drawing up of a Framework Protocol for the Protection of Victims of Trafficking and the recent appointment of a National Rapporteur on human trafficking.

63. Slovakia acknowledged efforts to eliminate gender discrimination and combat human trafficking and asked for more information on the training of prosecutors working in the field of combating racism.

64. Slovenia welcomed information on institutional strengthening in the area of hate speech and discrimination and the stated intention to restore social protection measures and assistance to those most disadvantaged by the financial crisis.

65. Sri Lanka acknowledged measures addressing hate crime and combating human trafficking and encouraged Spain to safeguard the rights of the most vulnerable population groups through focused social assistance and income support.

66. The Sudan welcomed the adoption of the Strategic Plans for Equality of Opportunity 2014–2016 and for Citizenship and Integration and the Strategy for the Elimination of Violence against Women 2013–2016.

67. Sweden expressed concern that the Law on Protection of Public Security could restrict the citizen's ability to publicly protest and legalize summary expulsions of migrants crossing from Morocco to Ceuta and Melilla.

68. Switzerland commended the engagement of Spain in combating violence against women. It also noted that the Franco era remained challenging in political and social life. Concern regarding the behaviour of the police during peaceful protests was expressed.

69. Thailand welcomed the Strategy for the Elimination of Violence against Women and invited Spain to provide redress and assistance to victims. Thailand encouraged Spain to respect the human rights of migrants.

70. The former Yugoslav Republic of Macedonia commended the establishment of a hate crime and discrimination department in each provincial prosecutor's office and the 2010 reforms to the Criminal Code.

71. Timor-Leste welcomed the initiatives to combat human trafficking and to support its victims, and the adoption of the National Strategy for the Social Inclusion of the Gypsy Population.

72. Togo appreciated the establishment of special departments for hate crimes and discrimination in all provincial prosecutors' offices. It expressed concern about racial profiling of migrants belonging to ethnic and religious minorities.

73. Trinidad and Tobago commended the active international engagement of Spain on human rights and noted that the economic crisis affected the capacity of Spain to expand its development cooperation.

74. Tunisia took note of measures taken since the 2010 UPR, including the creation of the Office of the National Rapporteur on human trafficking and special units for offences motivated by hate and discrimination in provincial prosecutor's offices.

75. Turkey welcomed official statements underlining the multiculturalism of Spain. Turkey believed that the Alliance of Civilizations had become more relevant and supported the International Commission against the Death Penalty, which had been initiated by Spain.

76. Ukraine commended endeavours in the field of human trafficking and hate crime and the adoption of the Plan for Equality of Opportunity. Ukraine encouraged Spain to finalize the Child Protection Bill.

77. The United Kingdom of Great Britain and Northern Ireland commended reforms to improve women's access to legal services and welcomed positive steps to ensure freedom of religion and belief and the protection of ethnic minorities.

78. The United States of America commended the promotion of the rights of lesbian, gay, bisexual and transgender people (LGBT), efforts to fight trafficking in persons and steps taken towards Roma inclusion. It remained concerned about official corruption, undermining faith in judicial institutions.

79. Uruguay noted with satisfaction steps to fight human trafficking and encouraged Spain to increase its efforts regarding the special attention required by children victims or potential victims.

80. The Bolivarian Republic of Venezuela recognized the active participation of Spain in international human rights forums, while noting the impact of the economic crisis on the quality of life of Spanish people.

81. Commending the reform of the Criminal Code, Albania asked about the envisaged amendment to the Criminal Code to strengthen protection for victims of gender-based violence.

82. Algeria commended measures against racial discrimination and incitement to racial hatred. Steps regarding migrants' integration were encouraged further. It appreciated national and European coordination reinforcement on human trafficking.

83. Angola commended the ratification by Spain of most human rights instruments. It appreciated its efforts to respect international engagements with regard to the rights of migrants, their families and persons with disabilities.

84. Argentina welcomed the efforts of Spain to comply with the recommendations received during its first UPR, and praised the adoption of the Plan for the Inclusion of Pupils and Students with Special Education Needs.

85. Armenia welcomed steps taken to combat hate crimes, eliminate racial discrimination and combat trafficking in persons. Armenia highly appreciated measures adopted to implement the 2007 Historical Memory Act.

86. Australia encouraged Spain to implement its second Human Rights Plan. Australia welcomed the support of Spain for its LGBT community and acknowledged the challenges of reconciling border security, immigration policies and human rights obligations.

87. Austria was concerned about a bill to legalize automatic returns of people trying to cross border fences in Ceuta and Melilla. It noted that the reception conditions in those cities remained below minimum standards.

88. Azerbaijan welcomed the establishment of the post of National Rapporteur on human trafficking. It noted that some United Nations treaty bodies had expressed their concerns as to the existence of problems related to discrimination.

89. Bahrain welcomed measures to combat racial discrimination and xenophobia. Bahrain commended the Alliance of Civilizations initiative. Bahrain asked for more information on assistance to victims of trafficking.

90. Bangladesh appreciated the co-hosting by Spain of the Alliance of Civilizations and its efforts to eliminate discrimination against women. It expressed its concern regarding discrimination against migrants and Roma, and hate speech and xenophobic discourse among politicians.

91. Benin welcomed the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and the creation of a national council of victims of hate crimes.

92. Brazil welcomed legislative improvements on the rights of the child, in line with the recommendation made by Brazil during the first cycle. It reiterated the need to enhance protection of the human rights of migrants.

93. The Spanish delegation responded to questions that were raised during the interactive dialogue or sent in advance.

94. The General Law on the Rights of Persons with Disabilities unified the existing legislation on the subject and included the mainstreaming of disability policies. In the area of education, during the period 2012–2013, the percentage of people who received educational attention different from the ordinary amounted to 5.3 per cent of all students. In

addition, Spain paid special attention to access to university for people with disabilities, for whom there was exemption of fees and payments.

95. Regarding the gypsy population, in the previous 40 years there had been significant social progress. For instance, in primary education, nearly 100 per cent of Gypsy children were in school. However, Spain was still struggling with some ongoing challenges, such as school early dropout and the segregation of some education centres.

96. In response to comments from delegations, the Spanish delegation reported on the efforts on capacity-building for judges, prosecutors and other members of the investigative teams in the fight against gender violence.

97. In recent years the State had adopted regulations to promote equality in employment for women and men, to encourage a better balance between work and family, and sharing of responsibility. The measures adopted in 2014 to combat unemployment were of particular relevance owing to the fact that unemployment was higher among women.

98. In 2014, the Government had adopted a protocol on certain actions in relation to unaccompanied children arriving in Spanish territory, aimed at better coordination between concerned institutions and administrations. During their stay in the country, minors under Spanish protection were always considered legal residents. Once they reached adulthood they could renew their residence and work permits if they met the conditions established by law, which were more favourable than the general provisions on this matter.

99. In the near future the Government was expected to adopt a comprehensive plan to combat trafficking for sexual exploitation and to develop a protocol for the protection of victims of trafficking in human beings in order to better coordinate the action of the institutions and administrations concerned.

100. The delegation recalled that the regime of incommunicado detention was exceptional, applied for terrorist offences only, and could only be established by a judge or tribunal through a reasoned decision, for the period of time that was strictly necessary. The regime was under review within the framework of the reform of the law of criminal procedure.

101. In recent years the Government had adopted temporary and structural measures to address problems regarding mortgage debts. The temporary measures were taken to protect persons who, as a result of the crisis, were no longer able to meet the obligations arising from their mortgage loans to acquire homes and were in a situation of vulnerability. The structural measures introduced limits to interest rates on arrears and improved auction procedures in case debts remained after the sale in order to write them off.

102. Bulgaria appreciated recent ratifications, the establishment of the council of victims of hate crimes and of the Rapporteur on human trafficking and the adoption of strategies on equality of opportunity and against racism.

103. Canada welcomed the Strategy for the Elimination of Violence against Women and encouraged that the strategy address other forms of discrimination against female victims from migrant and disabled communities.

104. Chad welcomed the implementation of the previous recommendations and recalled the legal and institutional frameworks for the promotion and protection of human rights.

105. Chile acknowledged the participation of civil society in the preparation of the national report. It noted the effects of the crisis and welcomed the efforts to address its consequences for human rights protection.

106. China appreciated the efforts of Spain in the promotion of equal opportunities for men and women, the combat against sexual exploitation and the health-care reform. China welcomed the efforts on anti-racial-discrimination.

107. The Congo commended the establishment of a National Council on victims of hate crime. It noted the improvement of the legal framework for human trafficking, organ trafficking and forced marriages.

108. Costa Rica underscored the efforts by Spain to achieve the international abolition of the death penalty, and stated that its role in the creation of the International Commission against the Death Penalty was commendable.

109. Côte d'Ivoire commended human rights reforms, namely article 59bis of the Aliens Act on human trafficking (2010) and the adoption of a Protocol to protect victims of trafficking (2011).

110. Cuba noted the implications of austerity measures on the human rights situation. It invited Spain to further work to combat unemployment, poverty, evictions, hate speech and racial discrimination.

111. Cyprus welcomed initiatives to combat human trafficking, including the establishment of the Rapporteur, and to eliminate all forms of discrimination. Cyprus welcomed efforts to tackle racism and facilitate the integration of immigrants.

112. The Czech Republic appreciated the information on the implementation of previous UPR recommendations and the response of Spain to some advance questions.

113. Ecuador acknowledged efforts to comply with previous recommendations, including the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Human Rights Plan assessment and measures to overcome the economic crisis.

114. Egypt welcomed the establishment of provincial discrimination departments and the continued commitment of Spain to women's rights. It recognized the difficulties resulting from the financial and economic crisis with regard to social protection and promotion of human rights.

115. Estonia highlighted the commitment of Spain to combating human trafficking and the prioritization of the elimination of violence against women. Estonia seconded the suggestion by the United Nations Educational, Scientific and Cultural Organization (UNESCO) that the Government pursue efforts to ensure the rights of all children to an inclusive education.

116. France welcomed the hate crime departments in provincial prosecutor's offices and plans to combat gender discrimination. It noted the impunity for crimes perpetrated during the civil war and dictatorship.

117. Gabon appreciated the measures regarding the fight against gender-based discrimination, notably policies favouring equal opportunities within the professional sphere and those on fighting violence against women.

118. Germany welcomed improvements in the institutional framework and appreciated civil society's involvement in the preparation of the national report. It praised the creation of the post of National Rapporteur on human trafficking.

119. Ghana commended various measures addressing hate crime and discrimination, human trafficking, racism, xenophobia and gender violence. It expressed concern about discrimination against migrants, and instances of racist stereotypes and prejudices in the media.

120. Greece commended the ratification of most international instruments and the ongoing cooperation with the special procedures. It welcomed the improvements in the legal framework regarding persons with disabilities.

121. Guatemala welcomed the hate crimes and discrimination departments within provincial prosecutor's offices. It expressed concern at the situation of migrant women and the lack of equality before the law of foreigners.

122. Honduras welcomed the hate crimes and discrimination departments within local prosecutor's offices and the new legislation on human trafficking, forced marriage and enforced disappearances.

123. Hungary noted numerous achievements since the first review of Spain, notwithstanding economic and financial difficulties. Hungary recalled that in 2010 Spain had accepted three recommendations it had put forward, and that were being implemented.

124. India welcomed the adoption of the Strategy for the Social Inclusion of the Gypsy Population. India referred to concerns at the practice of incommunicado detention and encouraged Spain to share information on acts of ethnic profiling.

125. Highlighting its commitment to the international human rights normative framework, the Spanish delegation mentioned the following instruments to which Spain had recently become a party: the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and the Council of Europe Convention against Trafficking in Human Organs.

126. The delegation emphasized that its institutional commitment was shown by the active support and participation of Spain in the UPR and in all the work of the Human Rights Council, of which Spain had been a member between 2011 and 2013. The membership of Spain in the Security Council from January 2015 was considered to be another opportunity to promote and defend human rights at the multilateral level.

127. The delegation recalled some of the foreign policy priorities of Spain in the area of human rights: the fight against the death penalty and the promotion of a universal moratorium as a first step towards abolition; the fight against gender-based discrimination and discrimination based on sexual orientation; the human right to water and sanitation; the rights of persons with disabilities; business and human rights; and human rights defenders.

128. Each recommendation received would be carefully studied to with a view to setting forth, within a reasonable time frame, the position of the Government. The delegation stated that it would use the right not to express a position immediately, being aware of the importance of thoroughly analysing which commitments could be undertaken.

129. The delegation pointed out that many of the recommendations and questions received arose from the impact of the fiscal adjustment measures taken to combat the economic and financial crisis. It reiterated that the Government was fully aware of the sacrifices that those measures had involved for many people and that it had taken special care to respecting the criteria of necessity, timeliness, non-regression and non-discrimination.

130. The delegation concluded by reiterating its commitment to the universal periodic review.

II. Conclusions and/or recommendations**

131. **The following recommendations will be examined by Spain, which will provide responses in due time, but no later than the twenty-ninth session of the Human Rights Council, to be held from 15 June to 3 July 2015:**

131.1. **Ratify the International Convention on the Rights of Migrant Workers and Members of Their Families (ICRMW), as previously recommended (Indonesia);**

131.2. **Continue to consider ratification of ICRMW (Nicaragua);**

131.3. **Consider taking specific steps towards accession to the migrant workers' rights convention or the ICRMW (Philippines);**

131.4. **Consider the possibility of ratifying ICRMW (1990), and acceding to the Convention on the Reduction of Statelessness (1961) (Ecuador);**

131.5. **Consider ratifying ICRMW (Rwanda) (Sri Lanka);**

131.6. **Ratify ICRMW, as a fundamental step towards the protection of human rights in the country (Guatemala);**

131.7. **Accede to ICRMW (Sudan);**

131.8. **Ratify ICRMW (Algeria) (Benin) (Côte d'Ivoire) (Gabon) (Ghana) (Honduras) (Iran (Islamic Republic of)) (Paraguay) (Senegal) (Sierra Leone) (Timor-Leste) (Turkey) (Venezuela (Bolivarian Republic of));**

131.9. **Accede to the Convention on the Reduction of Statelessness (Azerbaijan) (Paraguay) (Portugal);**

131.10. **Promote the establishment of an inter-ministerial committee on human rights in order to further improve coordination between the various national administrations and increase the effectiveness of the Human Rights Office (Italy);**

131.11. **Consider establishing an inter-ministerial committee responsible for the implementation of its international human rights obligations, inter alia, for coordinating the drafting of the national reports to the treaty bodies and for organizing country visits by the Human Rights Council's special procedures (Portugal);**

131.12. **Install a high-ranking governmental working group on human rights to ascertain the smooth cooperation and coordination of inter-ministerial work in the field of human rights (Germany);**

131.13. **Consider the possibility of establishing a public monitoring system of international recommendations to facilitate the systematization and follow-up of the recommendations of treaty bodies and mechanisms of the Human Rights Council (Paraguay);**

131.14. **Continue the good practice of having a national Human Rights Plan by formulating a comprehensive plan of action or strategy (Indonesia);**

** The conclusions and recommendations have not been edited.

131.15. **Proceed to the development of a new National Human Rights Plan and implement the National Strategy for the Elimination of Violence against Women (Greece);**

131.16. **Consider developing human rights indicators as suggested by OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**

131.17. **Pursue particular efforts to spread awareness of human rights and disseminate its principles among its citizens (Kuwait);**

131.18. **Make an assessment, by the end of 2016, of the actions undertaken in the framework of the various strategic plans on the protection of women and children (France);**

131.19. **Intensify efforts to foster national unity and harmony, including by promoting dialogue among societies of different ethnicity and faith (Malaysia);**

131.20. **Step up efforts within the framework of the Alliance of Civilizations for the promotion of the dialogue and rapprochement between religions and peoples (Morocco);**

131.21. **Consider the Caribbean region among those geographical areas of priority for the overseas and international development cooperation programmes that have been newly prioritized as a consequence of Spain's belt-tightening in face of the economic crisis (Trinidad and Tobago);**

131.22. **Continue the cooperation with the United Nations in the area of human rights (Romania);**

131.23. **Submit its overdue report to the Committee on the Elimination of Racial Discrimination (Sierra Leone);**

131.24. **Encourage closer civil society participation in the follow-up to the recommendations of the Human Rights Council (Trinidad and Tobago);**

131.25. **Implement the Strategic Plan on Equality of Opportunity 2014–2016 with the aim to eliminate any remaining gender-based discrimination (Montenegro);**

131.26. **Continue the implementation of the Strategic Plan on Equality of Opportunity 2014–2016 to achieve equal opportunity for women and men, in particular to reduce the pay gap (Myanmar);**

131.27. **Continue implementing the measures provided in the Strategic Plan on Equality of Opportunity 2014-2016 (Albania);**

131.28. **Continue its efforts to implement the adopted Strategies to eliminate any remaining gender-based discrimination (Sudan);**

131.29. **Continue with efforts for mainstreaming of gender equality into laws and policies and assign sufficient resources for the implementation of the Law on comprehensive protection measures against gender-based violence (Serbia);**

131.30. **Consider adopting new legislation that compels public companies to reserve a quota of their non-executive board seats for women (Italy);**

131.31. **Continue efforts aimed at reinforcing women's access to positions of responsibility and decision-making (Morocco);**

131.32. **Increase women in decision-making process (Rwanda);**

131.33. **Close gender gaps by promoting and monitoring the equal representation of women in decision-making positions (Sierra Leone);**

131.34. **Promote vigorously the participation of women in decision-making positions, both in the public and private sectors (Ghana);**

131.35. **Enhance legislation in the field of racial discrimination, racism and hatred of foreigners (Lebanon);**

131.36. **Further strengthen measures, including existing legislation, to prevent and combat racism, racial discrimination, xenophobia and related forms of intolerance, and continue to improve national statistics (Brazil);**

131.37. **Strengthen legislation against discrimination by adopting a comprehensive law against racism, racial discrimination, xenophobia and related intolerance (Côte d'Ivoire);**

131.38. **Redouble its efforts in combating contemporary forms of racism, racial discrimination, xenophobia and related intolerance including criminalizing hate speech, and all forms of incitement to hatred and violence (Malaysia);**

131.39. **Improve policies against discrimination through legislation regulating hate crimes, racism, xenophobia and anti-Semitism (Israel);**

131.40. **Continue efforts to enhance the work of departments in relation to hate crimes and discrimination (Qatar);**

131.41. **Strengthen measures taken to combat hate speech/discourse (Bahrain);**

131.42. **Take effective measures to curb racial hatred and religious intolerance, hate speech and xenophobic discourses (Bangladesh);**

131.43. **Do all its best in order to put an end to hatred speech based on xenophobia and try to do all it can in order to tackle this matter within the institutions of the entire country (Libya);**

131.44. **Enhance efforts to combat discrimination against minority groups in the country, by effectively investigating and adequately punishing any racially motivated conduct (Namibia);**

131.45. **Provide full access to justice to people belonging to racial and religious minorities and to combat racial and religious profiling and strengthen anti-discrimination legislation through adoption of a comprehensive law on racism, racial discrimination, xenophobia and related intolerances which addresses hate speech and includes measures to effectively investigate and prosecute such offences (Pakistan);**

131.46. **Ensure that all racist behaviour is effectively investigated and duly punished (Togo);**

131.47. **Continue to strengthen the combat against racial discrimination and intolerance in all manifestations and protect the legitimate rights of the migrants and minority groups (China);**

131.48. **Strengthen the measures against discrimination, racism and xenophobia manifested in the field of employment, access to housing and education with regard to foreigners and minorities (Gabon);**

131.49. **Undertake measures to put an end to ethnic and racial profiling and all forms of racial discrimination (Ghana);**

131.50. **Take effective measures to put an end to ethnic and racial profiling (India);**

131.51. **Combat discriminatory behaviour by members of the law enforcement forces and ensure that any racially-motivated misconduct is effectively investigated and adequately punished (Iran (Islamic Republic of));**

131.52. **Adopt legislative, judicial and administrative measures to ensure the right to an effective remedy for anyone who claims to have been subjected to torture or other ill-treatment and to provide the necessary administrative and judicial framework to prevent impunity for officers charged with such crimes (Netherlands);**

131.53. **Adopt legislative, judicial and administrative measures to ensure effective remedy for torture and ill-treatment and strengthen its framework to prosecute such crimes (Australia);**

131.54. **Ensure the diligent investigation of allegations of excessive use of force by its own security and militia (Israel);**

131.55. **Ensure that all allegations of torture and other ill-treatment perpetrated by security services are subject to impartial and independent investigations by the ordinary civil justice without delay, and ensure that victims receive reparations (France);**

131.56. **Ensure effective monitoring of detention and custody procedures by the law enforcement forces (Poland);**

131.57. **Establish a control mechanism for the police authorities with regard to signs of possible torture and ill-treatment committed by individual members (Germany);**

131.58. **Elaborate further concrete, meaningful practical measures and mechanisms that effectively prevent any ill-treatment by the police and prison guards, including the possibility of revision of the practice of incommunicado detention (Hungary);**

131.59. **Abolish incommunicado detention, and ensure that all suspects in police custody have prompt and immediate access to a lawyer (Iran);**

131.60. **Review the incommunicado detention regime to ensure compliance with international human rights law (Ireland);**

131.61. **Abolish the use of incommunicado detention and torture and ensure that all suspects in police custody have prompt access to a lawyer at the outset of detention (Pakistan);**

131.62. **Review the incommunicado detention regime by ensuring that access to legal assistance upon detention is not delayed, that detainees have the possibility to communicate with a lawyer of their own choice in private and that they are brought in front of a judge within 72 hours (Austria);**

131.63. **Review the compliance of its anti-terrorism legislation allowing for incommunicado detention with international human rights standards and consider abolishing the incommunicado regime (Czech Republic);**

131.64. **Adopt a national strategy to improve the conditions in the penitentiary system (Russian Federation);**

131.65. **Strengthen measures toward eliminating violence against women, including domestic violence (Japan);**

131.66. **Continue its efforts in combating gender-based violence, particularly on women with disabilities, through effective implementation of its National Strategy for the Elimination of Violence against Women 2013–2016 (Malaysia);**

131.67. **Take all necessary measures to eliminate gender-based violence, including violence against foreign women, and to assess the workings of the relevant specialized courts in this regard (Namibia);**

131.68. **Continue its efforts to eradicate gender-based violence and to ensure the advancement of women in decision-making positions in all sectors (Republic of Korea);**

131.69. **Continue to adopt all legislative and executive measures against gender-based violence, with special attention to migrant victims (Sri Lanka);**

131.70. **Strengthen its protection programme against sexual and sexist violence, with a focus on the availability, accessibility and quality of protection measures, and ensure the full enjoyment of sexual and reproductive rights (Switzerland);**

131.71. **Carry out an evaluation into the obstacles victims of gender-based violence experience in accessing effective protection, justice and reparation and the causes which prevent them from filing a complaint (Netherlands);**

131.72. **Undertake an evaluation of the operation of the specialized courts on violence against women, identify and encourage best practice (Ireland);**

131.73. **Ensure the effective training of the judicial bodies in charge of investigating cases of gender-based violence (Slovakia);**

131.74. **Ensure that all judicial bodies carrying out investigations into gender-based violence receive specialized training in order to meet the requirements of the Organic Law on Comprehensive Protection Measures against Gender Violence (United Kingdom of Great Britain and Northern Ireland);**

131.75. **Adopt a new bill amending the Criminal Code on the issues of gender-based violence, human trafficking, sexual exploitation and forced marriage (Ukraine);**

131.76. **Foster strong coordination among the Ministries of Health, Justice and Interior through a formal mechanism to combat gender-based violence and ensure judicial, law enforcement, and other officials are properly trained on all forms of gender-based violence and discrimination (United States of America);**

131.77. **Strengthen the measures to combat violence against women (Timor-Leste);**

131.78. **Implement fully its National Strategy for the Elimination of Violence against Women (2013–2016) (Australia);**

131.79. **Apply stronger measures to combat violence against women, as a follow-up to the National Strategy for the Elimination of Violence against Women 2013–2016 (Cuba);**

131.80. **Strengthen the measures on combating domestic and other forms of gender-based violence (Azerbaijan);**

131.81. **Strengthen the measures to combat violence against women, especially domestic violence (India);**

131.82. **Ensure the allocation of adequate resources for the implementation of Organic Law 1/2004 on measures of protection against gender violence, giving special attention to its accessibility through a national action plan (Chile);**

131.83. **Redouble efforts aimed at combating violence against women and children, especially those with disabilities (Ghana);**

131.84. **Continue efforts aimed at promoting rights of children, in particular migrant children and victims of sexual violence and abuse (Ukraine);**

131.85. **Combat effectively violence against children resulting from the sexual abuse of minors (Iran (Islamic republic of));**

131.86. **Step up efforts to fight unlawful treatment of and violence against children, including sexual abuse (Russian Federation);**

131.87. **Continue improving combating of trafficking in persons (Lebanon);**

131.88. **Increase international and regional cooperation with regard to the issue of trafficking in persons (Qatar);**

131.89. **Continue to combat trafficking in human beings (Romania);**

131.90. **Improve the procedures used to identify victims and to address the special needs of child victims of trafficking (Albania);**

131.91. **Continue to take measures to combat trafficking of persons (Armenia);**

131.92. **Implement a new plan against people trafficking for sexual exploitation as soon as possible (Australia);**

131.93. **Continue its efforts regarding human trafficking for sexual exploitation, and consider drafting a new version of the comprehensive plan to fight trafficking for sexual exploitation (France);**

131.94. **Strengthen efforts to promote a transparent political system by streamlining judicial procedures to investigate and prosecute corruption expeditiously (United States of America);**

131.95. **Review the reform of the national justice system of early 2014, in particular with the aim of ensuring and enforcing the principle of universality of international human rights law (Germany);**

131.96. **Consider adopting the principle of restorative justice, with its alternative sentencing, in the juvenile justice system (Indonesia);**

131.97. **Continue the implementation of the Historical Memory Act despite the economic crisis (Lebanon);**

131.98. **Develop a comprehensive and inclusive strategy to deal with the past, based on the rights of victims and the obligations of States, namely justice, reparation and guarantees of non-repetition (Switzerland);**

131.99. **Continue its efforts in addressing historical injustices and protecting the rights of the victims of such injustices, both at the national and international levels (Armenia);**

131.100. **Use comparative studies to address the challenges posed by the investigation of international law crimes committed during the Civil War and**

the Franco regime, in line with the recommendations of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence (Chile);

131.101. **Take all necessary measures in order to make sure that cases of enforced disappearance are only addressed by the civilian courts and not special ones such as military courts (Libya);**

131.102. **Adopt legislative or other necessary measures to establish a definition of victim consistent with article 24, paragraph 1, of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)and ensure that any person who has suffered direct harm as a result of an enforced disappearance can receive all compensation and redress measures established under the law, even if criminal proceedings have not been initiated (Panama);**

131.103. **Fully address the issue of enforced disappearances in close cooperation with human rights mechanisms (Republic of Korea);**

131.104. **Adopt appropriate legislative or judicial measures to criminalize enforced disappearance, in accordance to the provisions of ICPPED and promote changes in the internal order which enable enforced disappearances to be investigated thoroughly and impartially (Argentina);**

131.105. **Ensure the minimum age of marriage for children disallows early marriage (Sierra Leone);**

131.106. **Eliminate child marriages and increase the minimum age for marriage under exceptional circumstances (Azerbaijan);**

131.107. **Guarantee that the right to worship of minorities, including Muslims, is fully respected in practice (Iran (Islamic Republic of));**

131.108. **Decriminalize defamation and place it within the civil code in accordance with international standards (Estonia);**

131.109. **Strengthen the Government's commitment to ensuring fundamental rights of freedom of expression, peaceful assembly and association, and continue its cooperation with civil society, particularly with human rights defenders, by investing further efforts in creating a favourable environment for the members of the civil society organizations (Serbia);**

131.110. **Avoid any legislative amendments which would disproportionately limit the exercise of the right to freedom of assembly (Sweden);**

131.111. **Ensure the adjustment of the Public Safety Act, in order not to limit freedom of expression and the right to peaceful assembly (Chile);**

131.112. **Take measures to ensure that all legislation, in particular laws concerning the right of all persons to peaceful assembly and demonstration, upholds international human rights obligations (Costa Rica);**

131.113. **Ensure the full enjoyment of the rights to freedom of assembly and freedom of expression, facilitate the holding of peaceful rallies and revise existing laws or refrain from adopting new laws placing undue restrictions and deterrents on the exercise of freedom of assembly and freedom of expression (Czech Republic);**

131.114. **Adopt legislation that defines the necessity and proportionality of the use of force by police during acts of protest of the civil population (Russian Federation);**

131.115. **Increase awareness of security forces on the respect for human rights during demonstrations, to ensure the right to peaceful assembly and freedom of expression and association (Switzerland);**

131.116. **Step up measures to improve employability and access to employment, especially among young men and women, and ensure equal opportunities between them (Malaysia);**

131.117. **Put more emphasis on employment, especially on reducing the unemployment rate of young people (China);**

131.118. **Address the youth unemployment and combat effectively the existing discrimination against migrants in terms of their working conditions and requirements governing access to employment (Iran (Islamic republic of));**

131.119. **Ensure laws regarding discrimination with respect to employment or occupation are enforced and that members of the Romani community have the same inclusive legal protections, wages and working conditions as others (United States of America);**

131.120. **Fully ensure the safety and economic and social rights of migrant workers, in particular in irregular situations (Bangladesh);**

131.121. **Review and modify, in the light of the recommendations of this review, those measures that may obstruct access to basic rights such as health, education and housing for migrants, particularly women and children (Nicaragua);**

131.122. **Make an impact assessment of any negative consequences of budgetary adjustments with regard to universal access to health and education, particularly their impact on vulnerable groups such as migrants, women, people with disabilities, the elderly and children (Norway);**

131.123. **Proceed to systematically assess the impact of austerity measures on the most vulnerable social groups, especially children (Algeria);**

131.124. **Consider prioritizing measures to mitigate the impacts of the economic crisis (Sri Lanka);**

131.125. **Take steps to ensure that the measures of austerity do not negatively impact economic, social and cultural rights, specially the rights to adequate housing, health, food and education (Brazil);**

131.126. **That any austerity measures adopted by the Government should be minimal, temporary, proportional, non-discriminatory, and take into account the needs of the poorest and most disadvantaged citizens (Egypt);**

131.127. **Resume the measures of social protection and care for the most disadvantaged affected by the international economic and financial crisis (Cuba);**

131.128. **Resume as soon as possible, measures of social protection and care for those most affected by the severe effects of the crisis (Venezuela (Bolivarian Republic of));**

131.129. **Give priority to the improvement of the situation of those living in severe poverty when restoring the social protection measures and assistance (Slovenia);**

131.130. **Continue its efforts to fully ensure economic and social rights for all vulnerable groups, including immigrants and persons with disabilities (Republic of Korea);**

131.131. **Pursue actions targeted at enforcing access to health-care services and legal aid to vulnerable groups, including migrants regardless of their migration status (Republic of Moldova);**

131.132. **Introduce reforms to protect economic, social and cultural rights including the right to development and eradicate poverty, tackle unemployment and social inequalities (Pakistan);**

131.133. **Consider the adoption of a comprehensive policy to address forced evictions of owners who can no longer pay their mortgages (Slovakia);**

131.134. **Promote the relevant legislative review to encourage agreements between individuals and financial institutions in order to avoid evictions (Venezuela (Bolivarian Republic of));**

131.135. **Consider adopting comprehensive measures that provide adequate guarantees to the protection of the rights of migrant persons, particularly in relation to the right to housing (Ecuador);**

131.136. **Ensure access to health care and effective health coverage for all individuals without discrimination (Thailand);**

131.137. **Provide health-care coverage for all persons residing in Spain, regardless of their administrative status (The former Yugoslav Republic of Macedonia);**

131.138. **Ensure access to basic health care and medical assistance to all people living in Spain without discrimination, including migrants with an irregular situation (Uruguay);**

131.139. **Review the health reforms to ensure health-care services for migrants (India);**

131.140. **Facilitate the access of children belonging to the most vulnerable groups to health services and education (Algeria);**

131.141. **Consider incorporating sexual and reproductive health education into the school curriculum (Slovenia);**

131.142. **Continue its efforts to increase the education budget to ensure adequate remuneration of teachers and adopt the necessary measures to guarantee education of quality and under equal conditions regardless of the ethnic origin, gender and disability of students (Mexico);**

131.143. **Protect the primary school education sector by maintaining adequate and appropriate budgets (Bahrain);**

131.144. **Continue its efforts to reduce early dropouts from education and training (Myanmar);**

131.145. **Take the necessary measures to reduce the early school leaving rate (Turkey);**

131.146. **Continue to take action to guarantee equal access to basic quality education for all children in the country, including children of migrants (Philippines);**

131.147. **Ensure equal education opportunities for migrants' children and Roma in particular (Poland);**

131.148. **Continue efforts with a view to guaranteeing the right for an inclusive education to all children, including children belonging to minorities or immigrant children (Senegal);**

131.149. **Take measures to further improve access to education for children with immigrant backgrounds (Bangladesh);**

131.150. **Take necessary measures to improve access to education for children belonging to minorities and for children from immigrant families as well as to develop programmes to reduce school drop-out rate (The former Yugoslav Republic of Macedonia);**

131.151. **Develop the necessary initiatives in order to prevent and combat any school segregation of Gypsy students (Venezuela (Bolivarian Republic of));**

131.152. **Ensure that all persons with disabilities enjoy protection against discrimination, and have access to equal opportunities irrespective of their level of disability (Jordan);**

131.153. **Create wide-ranging protection against the denial of rights to persons with disabilities to facilities and equal rights (Libya);**

131.154. **Continue measures to ensure the full participation of civil society representing persons with disabilities in the current reform processes of the civil code and the law of civil procedure regarding the matter of legal capacity, in accordance with the Convention on the Rights of Persons with Disabilities (Mexico);**

131.155. **Intensify their efforts to further improve the situation concerning the protection of rights of persons with disabilities (Cyprus);**

131.156. **Ensure that persons with disability have the right to vote (Ghana);**

131.157. **Take further action to ensure the full participation of persons with disabilities in the country's political and public life and their access to equal opportunities (Greece);**

131.158. **Continue and strengthen the efforts aimed at the full integration of the Gypsy community and other minorities (Montenegro);**

131.159. **Implement the National Strategy for the Social Inclusion of Roma community in order to achieve the objectives provided for their social community (Albania);**

131.160. **Make enhanced efforts to combat discrimination against the Roma population to improve their access to education, housing, health and employment (India);**

131.161. **Increase measures to eradicate discrimination against the immigrant population, as well as to improve the situation of Gypsies and integration into Spanish society (Azerbaijan);**

131.162. **Continue to strengthen the cooperation with countries of origin, transit as well as destination in dealing with irregular migration (Thailand);**

131.163. **Guarantee, explicitly, equal rights before the law for non-citizens (Israel);**

131.164. **Ensure equal treatment before the law for non-citizens (Honduras);**

131.165. **Observe the right of individuals to consular access (India);**

131.166. **Adopt effective measures to stabilize the situation in the area of rights of migrants, including the end of the practice of unauthorized forced repatriation of migrants (Russian Federation);**

131.167. **Strengthen measures to ensure the full enjoyment of the rights of migrants, and the investigation and punishment of statements that incite to hate and other acts of discrimination against them, particularly those coming from officials of police, judicial and penitentiary organs as well as from immigration services (Argentina);**

131.168. **Continue its efforts to ensure that treatment of migrants and asylum-seekers is in accordance with relevant international standards (Japan);**

131.169. **Continue with its efforts to safeguard the rights of migrants, and provide adequate funding for migrant integration policies (Jordan);**

131.170. **Take further measures to enhance the rights of regular and irregular migrants alike (Turkey);**

131.171. **Carry out measures so that, especially when treating with migrants and other vulnerable persons, all actions that are taken are respectful of the guarantees and protections established under international human rights instruments (Costa Rica);**

131.172. **Adopt more appropriate measures to improve the integration of migrants in society and eradicate poverty among vulnerable groups, especially children (Angola);**

131.173. **Ensure respect for procedural guarantees, including access to a lawyer and an interpreter, for migrants that are detected entering irregularly the autonomous cities (Israel);**

131.174. **Ensure that all migrants in detention have access to basic services and adequate living conditions (Canada);**

131.175. **Further strengthen the protection of the rights and dignity of foreigners when subjected to identity controls or expulsion procedures (Tunisia);**

131.176. **Ensure prompt investigation of allegations of mistreatment by security forces of migrants at the border to ensure that they are treated in accordance with international human rights obligations (Canada);**

131.177. **Ensure access to effective asylum procedures in line with international law and that migration policies respect the principle of non-refoulement and European Union legislation (Norway);**

131.178. **Ensure access to effective asylum procedures in line with international law and ensure that migration policies fully respect the principle of non-refoulement and are in line with European Union legislation (Sweden);**

131.179. **Fully respect the principle of non-refoulement and ensure effective access to asylum procedures for those fleeing human rights violations (Uruguay);**

131.180. **Review the current deportation practices for migrants in Ceuta and Melilla as well as the proposed amendment of Spain's national security law to ensure the right of an individual to seek asylum (Austria);**

131.181. **Ensure that the Spanish legal framework concerning migrants, refugees and asylum seekers, with particular attention to the autonomous cities of Ceuta and Melilla, complies with its international human rights obligations, including with regard to procedural safeguards (Canada);**

131.182. **Ensure that the immigration law and its proposed amendments are in compliance with the principle of non-refoulement and the prohibition of inhuman or degrading treatment, most importantly the provisions allowing for summary return of migrants and refugees without due process (Czech Republic);**

131.183. **Take appropriate measures to ensure that the framework protocol for the protection of migrant children is consistent with international standards and that it is effectively implemented and monitored (Philippines);**

131.184. **Adopt legislative measures strengthening the protection of unaccompanied foreign minors (Iran (Islamic Republic of));**

131.185. **Take legislative and administrative measures to better protect unaccompanied migrant children (Togo);**

131.186. **Adopt legislative measures in order to strengthen the protection of unaccompanied foreign minors (The former Yugoslav Republic of Macedonia);**

131.187. **Take the appropriate measures so that international standards and the principle of the best interests of the child are observed in cases of repatriation of unaccompanied children, and adopt legislative measures to prevent that they become victims of trafficking (Honduras);**

131.188. **Finalize a national action plan on business and human rights in order to implement the United Nations Guiding Principles on Business and Human Rights (United Kingdom of Great Britain and Northern Ireland);**

131.189. **Contribute, with Spanish civil society stakeholders, to carry out initiatives on the elaboration of an international legally binding instrument on transnational corporations and human rights in the framework of the Human Rights Council, considering that the issue of corporations is one of the six Spanish foreign policy priorities in the area of human rights (Ecuador).**

132. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Spain was headed by Mr. Ignacio Ybañez, Secretary of State for Foreign Affairs and composed of the following members:

- Mrs. Ana María Menéndez, Ambassador, Permanent Representative, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva;
- Mr. Javier Sanabria, Director General for the United Nations and Human Rights, Ministry of Foreign Affairs and Cooperation;
- Ms. Cristina Fraile, Director of the Office of Human Rights, Ministry of Foreign Affairs and Cooperation;
- Mr. Jorge Vazquez, Technical Advisor of the Cabinet of the Secretary of State for Foreign Affairs, Ministry of Foreign Affairs and Cooperation;
- Mr. Javier Gómez de Agüero, Advisor of the Secretariat of State for Justice, Ministry of Justice;
- Ms. Eugenia Hernández, Advisor to the Directorate General for International Legal Cooperation and Relations with the Confessions, Ministry of Justice;
- Ms. Almudena Darias de las Heras, Assistant Deputy Director General for Justice Affairs in the EU and International Organisations, Ministry of Justice;
- Ms. Laura Fernández Castro, Advisor of the Cabinet of the Under- Secretary for Economy and Competitiveness, Ministry of Economy and Competitiveness;
- Mr. Pascual Tomás, Counsellor for Financial Affairs, before the Office of the United Nations and International Organizations in Geneva, Ministry of Finance and Public Administration;
- Mr. Joaquín Támara, Deputy Director General, Office for Asylum, Ministry of the Interior;
- Mr. Juan Carretero, Advisor to the Cabinet of the Secretary of State for Security, Ministry of Interior;
- Mr. Francisco González Pacheco, Assistant Deputy Director General for International Relations, Immigration and Aliens, Ministry of Interior;
- Ms. Teresa Udaondo, Technical Advisor for Multilateral Organizations, Ministry of Education, Culture and Sports;
- Ms. Valle Ares, Advisor of the Cabinet of the Secretary of State for Parliamentary Relations, Ministry of the Presidency;
- Mr. Rubén Moreno, Secretary General for Health and Consumption, Ministry of Health, Social Services and Equality;
- Mr. Ignacio Sola, Deputy Director General for Equal Treatment and Non-Discrimination, Ministry of Health, Social Services and Equality;
- Mr. Luis Angel Redondo, Counsellor, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva;
- Mr. Vicente Cacho, First Secretary, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Spain

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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1. Spain would like to take this opportunity to reaffirm, in line with its national report for the second cycle and its oral presentation of the report on 21 January 2015, its commitment to the universal periodic review as an instrument which has proved to be of great value in promoting and protecting human rights globally.

2. The Spanish State has carefully considered and assessed the 189 recommendations it received during the second cycle of the universal periodic review. All of the ministries with relevant responsibilities took part in the exercise, and consultations were held with civil society. The Ombudsman was kept fully informed of the process. As a result, I am pleased to announce that Spain accepts, in full or in part, 174 recommendations.

3. With a view to increasing the transparency of the acceptance, in full or in part, and the noting by Spain of the 189 recommendations received, and in line with the model used by other States in the context of the universal periodic review, this report is accompanied by an annex setting out the reasons for each decision.

4. The recommendations that Spain accepts in full are those whose underlying spirit or principle we support and which we are in a position to implement. This category also includes recommendations that have already been implemented or that relate to ongoing measures, without in any way implying that we regard the efforts made to date to be insufficient.

5. Recommendations that Spain accepts in part are those whose spirit and principle we support, but which can only be partially implemented because of legal, budgetary or constitutional issues. This category also includes recommendations whose underlying principle we support but where we differ as to how they may best be achieved, and composite recommendations where it is possible to accept one element while rejecting the other. Furthermore, we accept in part those recommendations whose underlying principle we support and which we will continue to pursue, but in respect of which we do not accept that our efforts to date are insufficient or do not constitute good practice.

6. Recommendations that Spain notes are those that we cannot undertake to implement at this juncture, whether or not we agree with the underlying principles.

7. Spain will keep the Working Group informed of the progress made in a midterm report.

Recommendations accepted

8. Spain supports the following recommendations: 131.10, 131.11, 131.12, 131.13, 131.14, 131.15, 131.16, 131.17, 131.18, 131.19, 131.20, 131.22, 131.23, 131.24, 131.25, 131.26, 131.27, 131.28, 131.29, 131.31, 131.32, 131.33, 131.34, 131.35, 131.36, 131.38, 131.39, 131.40, 131.41, 131.42, 131.43, 131.44, 131.46, 131.47, 131.48, 131.49, 131.50, 131.51, 131.54, 131.55, 131.56, 131.57, 131.60, 131.62, 131.63, 131.65, 131.66, 131.67, 131.68, 131.69, 131.70, 131.71, 131.72, 131.73, 131.74, 131.75, 131.76, 131.77, 131.78, 131.79, 131.80, 131.81, 131.82, 131.83, 131.84, 131.85, 131.86, 131.87, 131.88, 131.89, 131.90, 131.91, 131.92, 131.93, 131.94, 131.96, 131.101, 131.102, 131.103, 131.104, 131.105, 131.106, 131.107, 131.109, 131.110, 131.111, 131.112, 131.113, 131.115, 131.116, 131.117, 131.118, 131.119, 131.121, 131.124, 131.126, 131.127, 131.128, 131.129, 131.130, 131.132, 131.133, 131.134, 131.135, 131.140, 131.141, 131.142, 131.143, 131.144, 131.145, 131.152, 131.153, 131.154, 131.155, 131.156, 131.157, 131.158, 131.159, 131.160, 131.161, 131.162, 131.165, 131.166, 131.167, 131.168, 131.169, 131.171, 131.172, 131.174, 131.175, 131.176, 131.177, 131.178, 131.179, 131.181, 131.182, 131.183 and 131.188.

Recommendations accepted in part

9. Spain supports the following recommendations in part: 131.21, 131.37, 131.45, 131.52, 131.53, 131.58, 131.59, 131.61, 131.97, 131.98, 131.99, 131.100, 131.114, 131.120, 131.122, 131.123, 131.125, 131.131, 131.136, 131.137, 131.138, 131.139, 131.146, 131.147, 131.148, 131.149, 131.150, 131.151, 131.163, 131.164, 131.173, 131.180, 131.184, 131.185, 131.186 and 131.187.

Recommendations noted

10. Spain takes note of the following recommendations: 131.1, 131.2, 131.3, 131.4, 131.5, 131.6, 131.7, 131.8, 131.9, 131.30, 131.64, 131.95, 131.108, 131.170 and 131.189.